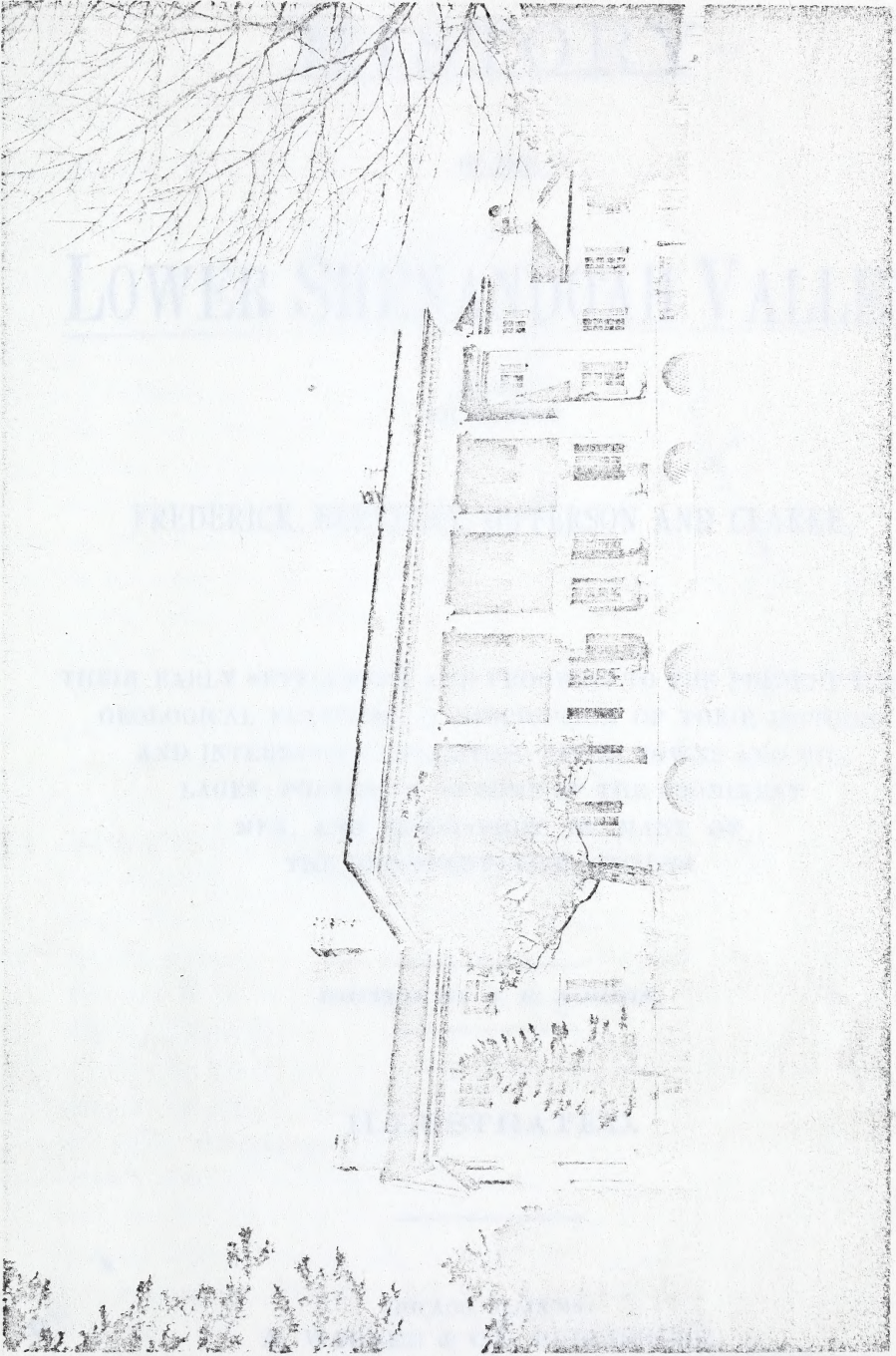


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CARTER HALL

HISTORY
OF THE
LOWER SHENANDOAH VALLEY

V. I.
COUNTIES OF

FREDERICK, BERKELEY, JEFFERSON AND CLARKE,

THEIR EARLY SETTLEMENT AND PROGRESS TO THE PRESENT TIME;
GEOLOGICAL FEATURES; A DESCRIPTION OF THEIR HISTORIC
AND INTERESTING LOCALITIES; CITIES, TOWNS AND VIL-
LAGES: PORTRAITS OF SOME OF THE PROMINENT
MEN, AND BIOGRAPHIES OF MANY OF
THE REPRESENTATIVE CITIZENS.

EDITED BY J. E. NORRIS.

ILLUSTRATED.

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PREFACE.

IN presenting to the patrons and readers of the History of the Lower Shenandoah Valley this completed volume, the compiler of the work wishes to call attention to some facts and circumstances connected therewith. To write a history of a section of country, a knowledge of which at the outset of the task, except in a general way, is entirely lacking, would seem to the casual thinker an extremely impracticable undertaking. One would think that a resident of long standing of the section selected would be the proper person to compile and write the history of that section. Yet one who is a comparative stranger, who comes perfectly unbiased on all matters, who has no prejudices in regard to any of those with whom he may come in contact, who has "no friends to reward and no enemies to punish"—this person presents qualifications for the work that will readily be recognized, and especially is that individual fitted for it if he be in sympathy with the inhabitants of whose ancestors he may write. That such are the facts in the present instance is well known, and the compiler hereof is proud to say that he is a Virginian, and "to the manner born" of that grand old commonwealth.

Coming, then, to the Valley with such antecedents, and upon the mission he did, it was but natural that kindness should meet him on all sides, and especially in States that have always been noted for their "courage, courtesy and hospitality." The attentions the compiler has received from all persons, the facilities afforded him for obtaining the information sought, the valuable and ancient documents placed at his disposal, the libraries opened to him without a single restriction in any case, and the interviews accorded him by all classes of residents without stint or cavil, have made his work a positive pleasure, and

PREFACE.

words are but poor symbols to here acknowledge in fitting terms the many obligations he rests under for those favors so freely given.

In consideration of this state of affairs, it would be a sad return for this kindness, to foist upon the courteous citizens of the Valley a history hastily compiled. Therefore, the writer has endeavored, regardless of time or expense, to arrive at the true state of all matters upon which he has touched, from the time the knightly Spottswood and his gallant retainers pressed their chargers forward to the brow of Swift Run Gap in 1716, to the present time. That he has accomplished that which he set about doing in the fall of 1888 the reader must decide. That his dates and facts are correct on all important matters can be verified by an examination of the public records which are open to all. He has straightened out a few crooked lines that have always been perplexing, and he has placed the first settlers and settlements where they undoubtedly belong.

With the feeling of having performed his task worthily, the compiler feels no hesitation in placing his work before the critical eyes of the citizens of the Valley, and would here say: To the officers of the various courts of the counties comprised in the work; to the officials of the towns and villages of the entire section; to the pastors of churches, and to the officers and members of all organizations, social, manufacturing and otherwise; and to the press, which, without a single exception in the four counties, have made frequent complimentary mention of the compiler and his work, the writer hereof wishes to offer his sincere thanks.

J. E. NORRIS.



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LOWER SHENANDOAH VALLEY.

CHAPTER I.

INTRODUCTORY.

THE DISCOVERERS OF AMERICA—RALEIGH'S EXPEDITION—THE ORIGIN OF THE NAME VIRGINIA—THE LONDON AND PLYMOUTH COMPANIES—LORDS HOPTON AND COLEPEPPER—SETTLEMENT OF JAMESTOWN—TOBACCO INTRODUCED—A SAD DAY—SOME OF OUR ANCIENT MOTHERS—FIRST GENERAL ASSEMBLY OF THE COMMONWEALTH—INSTRUCTIONS TO GOV. WYATT—FIRST ACTS OF ASSEMBLY—COUNTIES ORGANIZED—BENJAMIN SYMMS—BERKELEY'S INFAMOUS REPORT—FREDERICK COUNTY CREATED—A SPARSE POPULATION—THE NORTHERN NECK OF VIRGINIA—HISTORY OF THE CULPEPPER-FAIRFAX GRANT.

WITHOUT entering into a detailed history of Virginia, a few prominent facts in relation to the early events leading up to the settlement of the Shenandoah Valley will not only be interesting as an example of the steady and certain march of progress, but necessary for the better understanding of the matters herein contained. And even after the recital of the events connected with the counties forming the Lower Shenandoah Valley shall have been commenced, it may be necessary to frequently diverge from the main current, in order to gather and make complete their annals, for much of the Colonial and Revolutionary history, as well as a large portion of the Civil War operations and incidents, so closely connect the counties of the Great Valley that a suppression of anything not immediately associated with the section indicated would make this work fragmentary, incomplete and unsatisfactory. Therefore an outline sketch of the earliest important movements toward the settlement of Virginia, inclusive of several ancient documents and portions of documents pertaining thereto, and never before appearing in a history of this section or of the State, will be given.

The first discoverers of the American continent, at least from its

eastern coast, were undoubtedly the Sea Rovers of the North, or Norse men, the early settlers of Iceland. The evidence is indisputable, as Carlyle shows in his "Early Kings of Norway." In one of the *Sagas* (the word meaning *sayings*) of the early chroniclers of Iceland, an account is given of a voyage to a strange and large land by Eric the Red, who from the description given touched at Baffin's Bay, thence following down the coast touched land among other points at about Capes Henry and Charles, and as low as the Carolinas and the southern cape of Florida. The Icelanders, during their long winters, wrote a great deal, and, it seems, very accurately, for in other matters which they recorded they have been found, after investigation, to be entirely correct.

That still earlier voyages to the Western continent along the Pacific coast were made and settlements effected centuries before Eric and his Sea-Wolves saw the wild-grapes along the coast of what is now Rhode Island, is beyond question, for the splendid "barbaric civilizations" of the Aztecs and the Incas attest the fact. But the first practical discoverer of the land we now so much love was Christopher Columbus, whom circumstances ruthlessly robbed of the honor of conferring upon it his name, it being awarded to another, Americus Vesputius, a Florentine, notwithstanding the untiring zeal and exertion, the trials and sufferings of the immortal Genoese. Yet Columbus had not seen the continent proper until 1498, about one year after John Cabot and his son Sebastian had landed upon what is now known as Newfoundland. This mariner, Cabot, an Italian, sailed under the patronage of King Henry VII., and having ranged the coast from Labrador to Florida, claimed the country in the name of the crown of England, in July, 1497.

The entire eastern coast of the continent remained for many years, nominally only, in the possession of the English government, for not until 1584 did the crown send out any expedition to take formal possession of the same. In that year, however, Queen Elizabeth dispatched her favorite, Sir Walter Raleigh, to the new domain, who arrived in Pamlico Sound, thence proceeded to Albemarle Sound, raised the English standard, thanked God for the conquest, returned to his royal mistress and gave such a glowing description of the country that the Virgin Queen bestowed upon the beautiful virgin land, in attestation of her own unmarried state, the now honored and loved name—VIRGINIA.

Not until the year 1607 could any permanent settlement be made by the white man, although several efforts in that direction were inaugurated, but a number of enterprising and adventurous persons of London and Plymouth, England, at last petitioned the King, James I., to grant them charters for two companies to "possess and cultivate lands in America," which was granted, the Letters Patent bearing date April 10, 1606, and the names of the corporations being The London Company and The Plymouth Company. The following first clause of the preamble to the charter is taken from Hening's Statutes at Large, Vol. I:

I, James, by the grace of God, King of England, Scotland, France, and Ireland, Defender of the Faith, &c. Whereas our loving and well-disposed subjects, Sir Thomas Gates, and Sir George Somers, Knights, Richard Hackluit, Clerk, Prebendary of Westminster, and Edward-Maria Wingfield, Thomas Hanham, and Raleigh Gilbert, Esquires, William Parker, and George Popham, gentlemen, and divers others of our loving subjects, have been humble suitors unto us, that we would vouchsafe unto them our license, to make habitation, plantation, and to deduce a colony of sundry of our people into that part of America commonly called Virginia, either appertaining unto us, or which are not now actually possessed by any christian prince or people, situate, lying and being all along the sea coasts, between four and thirty degrees of Northerly latitude from the Equinoctial line, and five and forty degrees of the same latitude, and in the main land between the same four and thirty and five and forty degrees, and the islands thereunto adjacent, or within one hundred miles of the coasts thereof.

This magnificent empire was divided between the two companies, the first of which, composed of Sir Thomas Gates, Sir George Somers, Richard Hackluit, and Edward-Maria Wingfield, and others, forming The London Company, sent Capt. Christopher Newport, with one hundred and five persons, to commence a settlement in what is now North Carolina. The vessel sailed December 20, 1606, but owing to the circuitous route taken and adverse winds, they did not arrive until May, 1607, and not at their objective point, Roanoke Island, but instead, found themselves on a beautiful peninsula, which they had reached by way of a stream they named James River. And thus was founded the little colony of Jamestown, the corner-stone of the most progressive, the most liberal, the most humane, and the grandest empire upon which the smile of the Creator has ever beamed.

In consequence of the increased and vastly increasing responsibili-

ties of the London Company, they surrendered their charter in the early part of 1609, and formed a larger company with enlarged powers, which was given a charter by the King in May of that year. The new organization was entitled The Treasurer and Company of Adventurers and Planters of the City of London for the first Colony in Virginia. The incorporators and stockholders of this new company numbered over twelve hundred, including a large proportion of the noblest names of the period in England, which names are found to-day in all parts of Virginia, and from that stock doubtless has arisen that race of Virginians which has given to the Old Dominion its reputation for courage, courtesy and hospitality.

In addition to the two charters enumerated, King James, who seems to have been pretty free with his favors to favorites, in 1611-12 granted a third one covering the same territory, with increased numbers and powers, and naming as an additional stockholder "our trusty and well-beloved subject, George, Lord Archbishop of Canterbury," the holy and thrifty prelate, possibly, having an eye on the good picking in the new colony or a worthy anxiety about the souls of the Indians, or both.

Up to this year, 1611, the entire population was comprised in one colony, or settlement, and numbered about 700 souls, but at this time a separation, for purposes of convenience, was resolved upon, and those living farther up the river formed another colony, calling it *Henrico*, in honor of the King's son. This was the first move on this continent toward the formation of shires, or counties, for not until 1634 were the separate settlements, although they had grown in number to eight, recognized as such. In this year, 1611, were brought to America the first cows, goats and hogs, those animals not being native to this continent. But the most important arrival was "twenty females," the first white women who ever trod the soil, there being none in the colony up to that time, or at least no record of the fact. In 1614 tobacco (called by the Indians *uppowoc*) was introduced at Jamestown from the West Indies, the weed originally growing upon those islands and no where else on the face of the globe, according to the best investigations of the subject.

The first legislative assembly ever held in Virginia, was convened in June, 1619, by Sir George Yeardley, then governor of the colony, at which a number of acts were passed, some of which are preserved for the perusal of the curious in Henning's Statutes at Large, Vol. I.

Historians state that another assembly was held in 1620, and still another in November and December, 1621. On the 24th of July, 1621, Sir Francis Wyatt received a commission as Governor, and with it a set of "Instructions," a summary of which is as follows:

"To keep up religion of the church of England; to be obedient to the King; do justice; not injure the natives; forget old quarrels.

"To be industrious; suppress drunkenness, gaming and excess in cloaths; to permit none but the council and heads of hundreds to wear gold in their cloaths; none to wear silk till they make it.

"Not to offend foreign princes; punish piracies; to teach children; to convert the heathen.

"To make a catalogue of the people and their condition; of deaths, marriages, and christenings; to take care of estates; keep list of all cattle.

"Not to plant above one hundred pounds of tobacco per head; to sow great quantities of corn; to keep cows, swine, poultry, &c.; to plant mulberry trees and make silk, and take care of the French men in that work; to plant an abundance of vines.

"To put prentices to trades, and not let them forsake their trades for planting tobacco, or any such useless commodity.

"To take care of the Dutch sent to build mills; to build water-mills and block-houses in every plantation.

"That all contracts be performed and breaches thereof punished; tenants not to be enticed away.

"To make salt, pitch, tar, soap, oil of walnuts, search for minerals, dyes, gums, &c., and send small quantities home. (England.)

"To make small quantities of tobacco, and that very good, and to keep the store houses clean.

"To take care of Capt. William Norton and certain Italians sent to set up a glass house."

Then follows a number of instructions to Governor Wyatt's officers and others, and closing with the oath to be administered to the governor himself. And thus began the first regular and systematic administration of the law in Virginia, and although the customs of the times, and the necessities of the occasion, demanded harsh measures, even bordering on barbarism, yet in the main the most of the enactments of these primitive legislatures were ordinarily just and humane, of course with a due allowance of leniency and favoritism toward those in whose veins was thought to run the blue blood of nobility. From these

initial acts of over two hundred and fifty years ago have resulted a set of laws now within the statute books of Virginia that have no superiors and few equals in any country for intensity of justice and breadth of learning.

Before proceeding to the organization of counties and the grant of the Northern Neck of Virginia, from which sprang, through successive development, the now populous and productive Lower Shenandoah Valley, it will be interesting to many to peruse a few of the first recorded acts of the first session whose proceedings appear in regular order and numbered from 1 to 35. The following are some of the most interesting:

1. That there shall be in every plantation where the people use to meete for the worship of God, a house or roome sequestered for that purpose, and not to be for any temporal use whatsoever, and a place empaled in, sequestered only to the burial of the dead.

2. That whosoever shall absent himselfe from divine service any Sunday without an allowable excuse shall forfeite a pound of tobacco, and he that absenteth himselfe a month shall forfeit fifty pounds of tobacco.

3. That there be an uniformity in our church as neere as may be to the canons in England; both in substance and circumstance, and that all persons yield readie obedience unto them under paine of censure.

4. That the 22d of March be yearly solemnized as a holiday, &c. [This act was in relation to the escape of the colony from massacre by the Indians on March 22, 1622.—Ed.]

That no minister be absent from his church above two months in all the yeare upon penalty of forfeiting halfe his means, and whosoever shall absent above fowre months in the yeare shall forfeit his whole means and cure.

7. That no man dispose of his tobacco before the minister be satisfied, [paid] upon pain of forfeiture double his part of the minister's means, and one man of every plantation to collect his means out of the first and best tobacco and corn.

9. That the governor shall not withdraw the inhabitants from their private labors to any service of his own upon any colour whatsoever, and in case the public service require ymployments of many hands before the holding a General Assembly to give order for the same, &c.

14. For the encouragement of men to plant corne, the prise shall not be stinted, but it shall be free for every man to sell it as deere as he can.

17. That all trade for corne with the salvages (Indians) as well publick as private after June next shall be prohibited.

19. That the proclamations for swearing and drunkenness sett out by the governor and counsell are confirmed by this assembly.

21. That the proclamation for the rates of commodities be still in force, and that there be some men in every plantation to censure the tobacco.

22. That there be no waights nor measures used but such as shall be sealed by officers appointed for that purpose.

23. That every dwelling house shall be pallizaded in for defence against the Indians.

24. That no man go or send abroad without a sufficient partie well armed.

25. That men go not to worke in the ground without their arms (and a centinel upon them).

26. That the inhabitants go not aboard ships or upon any other occasions in such numbers as thereby to weaken and endanger the plantations.

28. That there be dew watch kept by night.

30. That such persons of quality as shall be founde delinquent in their duties, being not fit to undergoe corporal punishment, may, notwithstanding, be ymprisoned at the discretione of the commander, and for greater offences to be subject to a fine inflicted by the monthlie court, so that it exceed not the value aforesaid.

32. That at the beginning of July next the inhabitants of every corporation shall fall upon their adjoining salvages as we did the last yeare, those that shall be hurte upon service shall be cured at the publique charge; in case any be lamed to be maintained by the country according to his person and quality.

34. That no person within this colony upon the rumor of supposed change and alteration, presume to be disobedient to the present government, nor servants to their private officers, masters or overseers, at their uttermost peril.

In 1634 the entire country comprised in what was then known as Virginia was divided into eight shires, or counties, and to be governed as the shires of England were; Lieutenants to be appointed more

especially to take care of those under them in their contests with the Indians. Sheriffs, sergeants and bailiffs, also, were to be appointed. Thus began the more perfect subdivision of the country. In one of the acts passed by the Assembly in February, 1644-5, appears the name of Rappahannock, as applied to a district of country, and it is barely possible that it had been created a county by the governor and council without any note of it being made for a time by the burgesses, as was sometimes the case. In 1648, however, Act I of the Grand Assembly recites that "for the reducing of the inhabitants of *Chickcoun* and other parts of the *Neck of land* between Rappahannock river and Potomack river be repealed, and that the said tract of land be hereafter called and knowne by the name of the county of *North-umberland*." The reference in this quotation to the famous "Northern Neck of Virginia" is the first upon record that the editor has been able to find.

About this time, that is 1642, an act appears in Hening's Statutes at Large, p. 252, that should immortalize the subject thereof, and who deserves a monument far more than the arrogant, despotic fawner-at-the-feet-of-royalty, Lord Berkeley,* whose infamous ideas on liberty and education are given below the following enactment, which was a confirmation of the testator's will by the General Assembly:

ACT XVIII.

Passed March 1642-3.--18th Charles I.

Be it also enacted and confirmed upon consideration had of the godly disposition and goodly intent of *Benjamin Symms*, deed., in founding by his last will and testament a *Free school* in Elizabeth county, for the encouragement of all others in the like pious performances, that the said will and testament with all donations therein contained concerning the free school and the situation thereof in the said county, and the land appurteining to the same, shall be confirmed according to the true meaning and godly intent of the said testator without any alienation or conversion thereof to any place or county.

This is undoubtedly the first private bequest to the cause of education in the entire southern half of the country, if not the entire continent, and the name of the glorious old devisor should be kept green in the memory of all who love their fellow man. Contrast this act of grand old BENJAMIN SYMMS with the annexed ideas on the same subject of Lord Berkeley, thirty years later. His lordship, who was

*This was not Norborne Berkeley, Baron de Botetourt, who was governor of Virginia a few years prior to the American Revolution, and who was known as the "good Governor Berkeley."

then Governor of Virginia, had addressed to him a series of questions from Charles II., through his commissioners, in regard to the state of the colony in Virginia. To the twenty-third conundrum propounded, which was in relation to "instructing the people, religion, ministry, &c." this peculiar man closed his reply as follows:

"But I thank God, *there are no free schools nor printing*, and I hope we shall not have these hundred years; for *learning* has brought disobedience, and heresy, and sects into the world, and *printing* has divulged them, and libels against the best government. God keep us from both."

Another important event happened about this time. In 1645 coined money was introduced by act of the Grand Assembly, all currency up to this time being "tobacco," which was the standard of value—so many pounds of tobacco bought so much of anything else. In 1652 Lancaster county was formed, Westmoreland in 1653, and Rappahannock in 1656. In 1659 the notorious act for the "suppression of Quakers" was passed. Vessel masters were prohibited from bringing them to the colony, and when one of that faith was caught he was imprisoned and sent out of the country; if he returned he was treated still more severely, and again sent away, but if he returned the third time he was treated as a felon and executed with the promptitude that distinguished our forefathers in such matters. In 1692 Rappahannock county was divided, and Richmond county formed from that portion north of the Rappahannock river, and that south of the river to be called Essex. An act for the "establishment of a *post office* in the country" was passed in March, 1692-3, and in October of the same year an act for "ascertaining the place for erecting the College of William and Mary," the first college on the American continent. It is supposable that had the Rt. Hon. Lord Berkeley been then living that he would have put his official foot flat down on that educational scheme, but despots drop beneath the scythe of Old Time, as well as other mortals, and his lordship had passed to his *reward* many years before.

Having given in brief some of the most important events that led to the settlement of the state east of the Blue Ridge mountains, the progress made and the movements westward brings the writer to the period when the division of the territory led to the formation of the counties of the Great Valley. Accordingly, in 1720, the General Assembly passed an act for the erection of the counties of Spotsyl-

vania and Brunswick, the preamble of which and that portion relating to Spottsylvania are here given:

PREAMBLE, That the frontiers towards the high mountains are exposed to danger from the Indians, and the late settlements of the French to the westward of the said mountains,

Enacted, Spottsylvania county bounds upon Snow creek up to the Mill, thence by a southwest line to the river North Anna, thence up the said river as far as convenient, and thence by a line to be run over the high mountains to the river on the northwest side thereof, so as to include the northern passage thro' the said mountains, thence down the said river till it comes against the head of Rappahannock, thence by a line to the head of Rappahannock, and down that river to the mouth of Snow creek; which tract of land from the first of May, 1721, shall become a county, by the name of *Spottsylvania* county.

This immense county, named in honor of the then governor, Alexander Spotswood, included, in addition to the territory within the bounds stated in the act lying east of the Blue Ridge Mountains, all of the fertile region now known as the Shenandoah Valley from the Potomac to the southern limits of what is now Augusta county, and extending westward to the uttermost limits, which meant as far as the English could carry their conquering flag, for the French had extended their settlements along the Mississippi. In 1734 another division occurred. Spottsylvania was divided and its northern half erected into the county of Orange, as will be seen by the following act of the General Assembly, passed in August of the year stated:

WHEREAS divers inconveniences attend the upper inhabitants of Spottsylvania county, by reason of their great distance from the court house and other places, usually appointed for public meetings, *Be it therefore enacted*, &c., that from and immediately after the first day of January, now next ensuing, the said county of Spottsylvania be divided, by the dividing line, between the parish of St. George, and the parish of St. Mark; and that that part of the said county, which is now the parish of St. George, remain, and be called, and known by the name of Spottsylvania county; and all that territory of land, adjoining to, and above said line, bounden southerly by the line of Hanover county, northerly, by the grant of Lord Fairfax, and westerly, by the utmost limits of Virginia, be thenceforth erected into one distinct county, and be called and known by the name of the county of *Orange*.

Four years later than the above date, 1734, the county of Frederick was created by an act passed in November, 1738, the district comprising what is now Shenandoah, a portion of Page, Warren, Fred-

erick, Clarke, Berkeley, Jefferson and Morgan, and the counties exactly westward of this section. Previous to the erection of Orange county the portion of the Valley comprised in this work, the Lower Shenandoah Valley, had so few inhabitants other than the Indians that it was not taken into consideration. Just think of that for a moment! This wonderful valley, one of the richest spots on the face of the earth, with its vast mineral and agricultural wealth, its teeming busy thousands, only one hundred and fifty years ago not thought worthy to be even accounted a portion of the county. The act of 1738 is as follows:

WHEREAS great numbers of people have settled themselves of late, upon the rivers of Sherrando,* Cohongoruton,† and Opeckon, and the branches thereof, on the northwest side of the Blue ridge of mountains, whereby the strength of this colony, and its security upon the frontiers, and his majesty's revenue of quit-rents, are like to be much increased and augmented: For giving encouragement to such as shall think fit to settle there,

Be it enacted, &c., That all that territory and tract of land, at present deemed to be a part of the county of Orange, lying on the northwest side of the top of the said mountains, extending from thence northerly, westerly, and southerly, beyond the said mountains, to the utmost limits of Virginia, be separated from the rest of the said county, and erected into two distinct counties and parishes; to be divided by a line to be run from the head spring of Hedgman river to the head spring of the river Potowmack: And that all that part of the said territory, lying to the northeast of the said line, beyond the top of the said Blue ridge, shall be one distinct county, and parish; to be called by the name of the county of Frederick, and parish of Frederick; and that the rest of the said territory, lying on the other side of the said line, beyond the top of the said Blue ridge, shall be one other distinct county, and parish; to be called by the name of the county of Augusta, and parish of Augusta.

It was also enacted that the new counties should remain a part of the county of Orange till it should appear to the governor and council that there were enough inhabitants for appointing justices of the peace and other officers, and for erecting courts for the administration of justice. Five years elapsed from the passage of the act till the population was sufficient to justify the appointment of the necessary officials for the conduct of public business, as the records show that the first court in Frederick was held in November, 1743. The organi-

*Shenandoah. †Potomac.

zation of this court, the names of its officers and the incidents accompanying that event will be deferred to another chapter.

For the better understanding of the situation of matters (especially in regard to land titles) in Frederick at the time of the organization, an account of what is known as the "Fairfax Grant" will be in place at this juncture, for Frederick, it will be remembered, then, and until 1772, comprised the entire section known as the Lower Shenandoah Valley, which was a considerable portion of that immense grant, the famous *Northern Neck* of Virginia.

For many years succeeding the settlement at Jamestown grants or charters were made to persons in England, generally favorites of the sovereigns, for tracts of land in the New World, and among those so granted was one that was afterward known as the tract of the Northern Neck of land in Virginia, the history of which is as follows: At or about the beginning of the reign of Charles the Second, whose father Charles the First was beheaded by order of Cromwell in 1649, a party of gentlemen applied for a grant to the tract named and their desires were acceded to, and to confirm the same the grant was re-issued and made more explicit in the twenty-first year of the same monarch, Charles II. The parties receiving this princely gift were "Ralph, Lord Hopton; Henry, Earl of St. Albans, by the then name of Henry, Lord Jermyn; John, Lord Culpepper; John, Lord Berkeley, of Stratton, by the name of Sir John Berkeley; Sir William Morton, one of the Justices of the Court of King's Bench, by the then name of Sir William Morton; Sir Dudley Wyatt; and Thomas Culpepper." They were given, as the record states, "their heirs and assigns forever, all that entire tract, territory, or parcel of land situate, lying, and being in America, and bounded within the head of the rivers Rappahannock and Quiriough or Patomack rivers, the courses of said rivers as they are commonly called and known by the inhabitants, and descriptions of those parts, and Chesapeak bay, together with the rivers themselves, and all the islands within the banks of those rivers, and all woods, underwoods, timber, trees, streams, creeks, mines, &c., &c." The above named grantees in the course of time having either died or sold their interests, the property passed into the possession of Henry, Earl of St. Albans; John, Lord Berkeley; Sir William Morton, and John Tretheway, and these gentlemen, in turn, conveyed their rights in the grant to Thomas, Lord Culpepper, eldest son and heir of John, Lord Culpepper. Now this "Thomas, Lord Cul-

pepper," had an only daughter who married the young "Thomas, Lord Fairfax, Baron of Cameron, in that part of Great Britain called Scotland," and the old gentleman (Culpepper) having died, left the young Lord Fairfax in possession of the richest tract of land on this continent. Thus it was that came about the term "Fairfax Grant," but it was not a Fairfax grant, simply an inheritance by marriage, yet one that held just the same, and the son of that Lord Fairfax not only got all out of it he could, but tried to get more, as will be shown farther along.

It is thought, and with good reason, that the original grant only contemplated the section of country in the Neck east of the Blue Ridge mountains, as the slender geographical knowledge of this continent and its vastness led all to suppose that the Rivers Rappahannock and Potomac had their head-waters in the Blue Ridge; but a few thousand square miles of land did not make any difference to a king when he was giving away farms, that cost him nothing, to his friends, and it is altogether probable that if Lord Hopton *et al* had requested that the grant should extend from the Chesapeake to sundown the generous monarch would have so "nominated it in the bend." But Lord Fairfax, who had an eye to business, discovering that the Potomac headed in the Alleghany mountains, went to England and instituted suit for extending his grant to the head spring of the Potomac, and his suit being successful, with certain conditions, it gave him what are now Page, Shenandoah, Warren, Clarke, Frederick, Berkeley, Jefferson, Morgan, Hardy and Hampshire counties, in addition to the section east of the Ridge now known as Lancaster, Northumberland, Richmond, Westmoreland, Stafford, King George, Prince William, Fairfax, Alexandria, Loudoun, Fauquier, Culpeper and Madison. The "certain conditions" mentioned were that the extension of the grant should not interfere with any grants made by the General Assembly of Virginia, and confirmed by the Crown, for that body had already granted to various parties large tracts of land in the Valley, which confirms the idea that it was generally the impression that the grant of Charles II. only included the section as above stated east of the Ridge. Notwithstanding this stipulation of the Court of King's Bench, Fairfax endeavored to dispossess those who held land through the colonial government, and especially did he fight in the courts the claim of one of the first settlers of this section.

CHAPTER II.

PHYSICAL FEATURES.

GEOLOGY—ITS APPLICATION TO AGRICULTURE—THEORY ON THE ORIGIN OF MATTER—NATURE'S GREAT FORCES—PRE-HISTORIC LIFE—OUTLINES OF GEOLOGICAL STUDY—"A QUESTION OF ROCKS"—TOPOGRAPHY AND BOUNDARIES—THE QUIRROUGH—FERTILITY OF THE VALLEY—MINERAL RESOURCES—TIMBER—THE GARDEN OF VIRGINIA—SPLENDOR OF THE SCENERY—WHAT THE VALLEY ORIGINALLY WAS—AND WHAT IT NOW IS.

ALTHOUGH the matter has been until a very recent date, and is still to a large degree, ignored, yet the fact is gaining greater weight with every day, all over the civilized world, that the geology of a country is the most important feature to the inhabitants of that country, for within the crust of the earth lie all the elements of wealth that man may enjoy in this world.

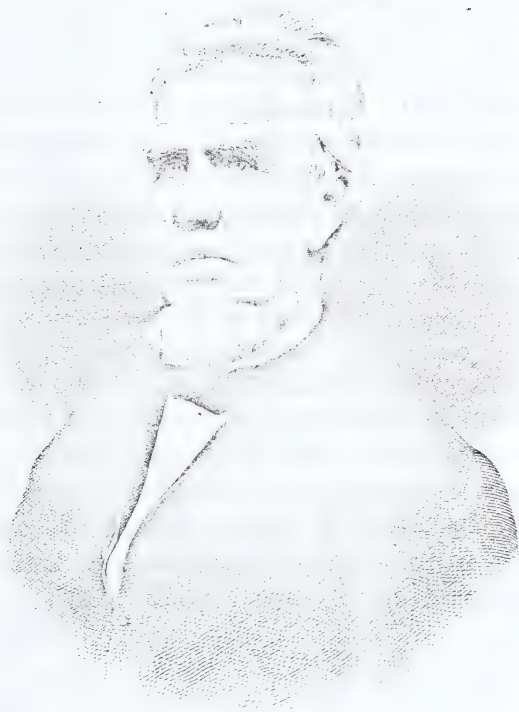
The soil, as the result of rock-disintegration, is the great depository of all the wealth within the possible grasp of man; not only mineral, but vegetable and animal, as well. Upon the geological structure of a country depend the pursuits of its inhabitants. Agriculture is the outgrowth of a fertile soil, mining results from mineral resources, and as a consequence commerce and all the industries which produce it, springs from those two sources. The permanent effect of the soil upon the populations that subsist through the products of that soil is as strong and inevitable as upon the vegetation that also springs from it. It is a maxim in geology that the soil and its underlying rocks forecast to the trained eye the character of the inhabitants, their number, and the quality of the civilization of those who will in the coming time occupy it. Indeed, so close are the relations between man and geology that the law is plain and fixed that a new country may have its outlines of history written, when first looked upon, and it is not, as many suppose, one of those deep, abstruse subjects, that must be relegated to a few investigators and thinkers, whilst to the practical masses it shall be as a sealed book. The youth of the country may learn the important outlines of geology, and apply the inevitable laws of that science thereby obtained to their own localities, with no

more trouble than to master the multiplication table; nor need they be possessed of any extraordinary attainments other than those required to understand a few of the technicalities of the study, which they will find as entertaining as profitable. To educate the son of the average farmer usually means to send him off to college and give him what is termed a classical education, and he returns to his home, perhaps as a graduate, yet as incapable, except in rare instances, of telling the geological story of his father's farm as any of the "hands" engaged thereon. Of how much more practical value would it have been had this youth dropped his "political economy" and a few theoretical studies, and taken up in earnest the analyzation of soils, and learned to hammer out the geological history of the rocks upon the farm where he was born! A few lessons during his collegiate course would have enabled this young gentleman to comprehend how the soil was formed, from what it originated, what it contained, and what it lacked to bring it up to full productiveness. He would realize that every step in farming is a purely scientific operation and that the better the matter is understood, the better will be the class of farming.

The science of geology makes a stride backward in the physical history of the planet we inhabit to a point considered by man as the "beginning," yet which is, possibly, as far from the beginning as is the incomprehensible End to the Now, for to the Creator a million years is as a day. Geology digs down into the crust of the earth and traces through successive stages of development the history of this rolling ball to its rudimental condition in a state of fusion. The theory has come to be almost generally accepted that the sun and its planetary system were originally a common mass, "without form and void," the planets became detached at the creation whilst in a gaseous state, and being separated from the grand central mass of heat, cooled and finally crystalized upon their surfaces. Thus the earth began to write its own history upon the imperishable rocks, where the geologist may go and read the strange, eventful story. The earth as a wheeling ball of fire, set in motion by the Omnipotent, having eventually cooled at the surface, and formed a crust in the slow process of time, prepared the way for animal and vegetable life. In its center intense heat and fierce flames still rage with undiminished vigor. Volcanoes are outlets for these deep-seated fires, where are generated those inconceivable forces, illustrated by a column of molten rock (lava) thrown to a height of over 10,000 feet above the crater whence it issued, and which has

caused upheavals within a few years past that have destroyed hundreds of thousands of lives, as in the case of Java; laid waste one of the loveliest spots on earth, Ischia, in the bay of Naples; and sent consternation and ruin to hundreds in South Carolina. The amount of lava ejected at a single eruption from one of the volcanoes of Iceland would cover a space of ground ten miles square, and as high as the tallest peak of the Rocky Mountains. Our world is still in process of congealing, and has been through untold ages, yet the crust is estimated to be only about thirty or forty miles in thickness. The globe being 25,000 miles in circumference, and its diameter, as per consequence, about 8,333 miles, deduct forty miles from the last figures, and then try to realize in what close proximity man is to the seething, boiling mass of metal and stone of over 8,000 miles in diameter. The conditions are about the same as the shell of an egg and its contents. Is it any wonder, then, that this molten mass occasionally breaks through the crust? Is it not more wonderful that man is here at all? Yet he is here, and has, seemingly, almost penetrated the great secret of "original origin." In the silent depths of the rocks he has delved and dragged to the light the skeletons of living organisms of ages so remote that to think of them bewilders the mind. Those fossil remains are fragments of history, which enable the geologist to extend his researches into that immeasurable past and not only determine their former modes of life, but to study the contemporaneous history of their rocky sepulchres, and group them into systems. Such was the profusion of life that the great limestone formations of the globe consist almost entirely of organic remains, and the soil of a considerable portion of the earth originated from them by disintegration and erosion. The same process is now going on. First, as nourishment it enters into the structure of plants, forming vegetable tissue; passing thence as food into the animal, it becomes endowed with life, and when death occurs it returns to Mother Earth, whence it sprung, and adds fertility to the soil.

There are two kinds of rocks, forming two systems, and are known respectively as *stratified* and *unstratified*, the former having been produced by sedimentary action, that is, organic or animal life, and other matter, being deposited at the beds of oceans or streams; and the latter formed by the action of intense heat. These two systems are called, also, for convenience *igneous* and *sedimentary*. They are further distinguished as *crystalline* and *uncrystalline*, and the reader



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can better understand these distinctions when it is stated that the action of fire produced the crystalline, whilst water was principally the agent in forming the uncrystalline. A magnifying glass of even small power will show the difference between the two classes. Take, for instance, a bit of gneiss or granite and you will see well defined crystals; then examine a piece of ordinary, or better still, fossiliferous limestone, and you will see the skeletons, or shells, of innumerable marine organisms, that lived and moved at the beds of primeval oceans. These two systems are composed of four great divisions, viz: Eozoic, Palæozoic, Mesozoic, and Cenozoic. The lowest division, the Eozoic, which signifies *dawn of life*, was formerly known as Azoic, meaning *without life*, and so called from the fact that no traces of life could be found in it; it was supposed to be, and no doubt is, the base of all the accumulations above it, and the roof or shell inclosing the internal fires, being the first crust formed after the gaseous, or semi-liquid globe began to cool; it is composed of primitive gneiss and granite. Comparatively recent researches, however, have revealed the fact that even in this oldest of all uncovered things traces of life are to be found, and consequently the term Azoic had to be changed to Eozoic. This division consists of four subdivisions: First, Laurentian, from the fact that its principal outcroppings are along the St. Lawrence river, and consists mostly of granitoid gneiss. Second, Huronian, or Green Mountain, and outcrops as imperfect gneisses along the shores of our great upper lakes. Third, Montalban, or White Mountain, with outcroppings at the mountains after which it is named, and consists of gneisses, but lithologically dissimilar from the Laurentian gneisses. Fourth, Norian, or Labradorian, so called from its principal outcroppings being of Labrador feldspar. The second division, the Palæozoic, is subdivided into five groups, known as the Cambrian (lower, middle and upper); Silurian; Devonian; Carboniferous, and Permian. In the Permian occurs the magnesian limestone of the western States, and in the Carboniferous the coal measures, the millstone-grits and the beautiful fossiliferous limestones, as well as the limestones of this valley. The third division, the Mesozoic, is composed of three groups: Triassic, Jurassic and Cretaceous, consisting of what are known as secondary rocks, sandstones, shales, and sometimes overlaid by fossiliferous limestones. The fourth great division is the Cenozoic, or recent formations, and consists of glacial drift, peat bogs, alluvial deposits, and ordinary soil, varying in character as the underlying rocks vary.

From the rocks of a given section, as has been said, spring animal as well as vegetable excellence, and a clever illustration of that fact was enunciated by the late eminent Prof. Agassiz, who, in reply to the question of a horse-breeder desirous of obtaining the professor's opinion as to the best mode, scientifically, of producing high-class stock, said, "It is entirely a question of rocks." A substantial confirmation of this theory lies in the fact that the Blue Grass region of Kentucky produces a breed of horses that outstrip the world for speed and endurance. The physical structure of the Kentucky thoroughbred is much finer than the horse of other sections, and an examination of the bone of the former shows it to be almost as ivory in compactness as compared to the bone of the Conestoga and other low-bred horses. The soil of the Blue Grass region is a peculiar limestone, and all of its products are of the best. The reason is apparent.

The foregoing remarks lead to the fact that *limestone* is the soil, par excellence, that produces the best results in almost everything—health, fertility, size, strength, and even personal courage; that is, a courage that comes from conviction, and not from brute instinct, which is inherent in the savage, prompted by his mode of life for self-preservation. The Shenandoah Valley, and particularly the counties forming the section comprised in this work, has been overlooked by the State authorities in the matter of geology, and there is almost nothing of any consequence in print in regard to its resources in this respect, save what has been embodied in the pamphlets and descriptive circulars of the land companies of the various counties, but that there is a wide field for the speculative as well as the operative geologist its wondrous mountain formations and rich valleys attest. The hills of this section contain much that is not only interesting to the investigator, but will some day, when sufficient capital and the proper appliances are brought to bear, bring immense revenues to the inhabitants of this region.

The Lower Shenandoah Valley, for the purposes contemplated in this work, comprises the counties of Frederick and Clarke, Va., and Berkeley and Jefferson, W. Va., and extends, roughly stated, from Cedar Creek on the south to the Potomac on the north, and from the Blue Ridge mountains on the east to the North mountain on the west. The mean length of the section is about forty-three miles, and the mean width about twenty-nine miles. More definitely stated, Frederick is twenty-eight miles long and eighteen wide; Clarke, seventeen

miles long and fifteen wide; Berkeley, twenty-three miles long and thirteen wide; Jefferson, twenty-two miles long and twelve wide. It is abundantly watered, being bounded and enclosed on three of its sides by three of the most beautiful streams of water on the continent. Along the northern border flows the historic Potomac, a stream which for romantic beauty, where nature has been exceedingly lavish in according her charms of wood and rock, has no superior anywhere. The Potomac has borne several names. From the Chesapeake bay to its junction with the Shenandoah River at Harper's Ferry, it was called when the white man first settled at Jamestown (or at least the white man so named it), the Paw-taw-mak, in consequence of the tribe of Indians of that name living along that stream. That portion of it west of the junction at Harper's Ferry was called by the Indians Cohongoruton or Cohongoluta. It was known by still another name, for in the grant of the Northern Neck by Charles the Second, as recited in the confirmatory act of the General Assembly of Virginia in 1736, it is called Quiriough, but just where Charles, or his petitioners, obtained that queer title is not now known. This last name appears no where else than in the Fairfax grant, so far as the writer has been able to ascertain. Along the eastern border of these counties flows the picturesque and brawling Shenandoah, as it comes tumbling and foaming over rocks and ledges and fallen trees. This stream was originally called and written Gerando, then Sherando, then Shanadore, until by that strange process of change in nomenclature, it came to be known as Shenandoah, but just how and when "the deponent sayeth naught." On the southern border flows the also historic stream, Cedar creek, which Buchanan Read has almost immortalized in his poem commemorating the famous ride of Sheridan when he managed to reach his command, which had been reformed after having been hurled back by Early, in time to participate in the final victory. This stream, heading in the Little North mountain, makes its way with many a twist and turn to the Shenandoah river, having watered with its tributaries all the upper portion of Frederick county. The Opequon creek, which rises a few miles to the southeast of Winchester, flows eastward a short distance, and, taking a sudden turn northward, pursues its course through the "slate formation," until it enters the Potomac several miles east of Martinsburg. This stream, the Opequon, it is claimed by several historians, has the honor of having had upon its banks the first settler who came to the valley of Virginia, but

which is a mistake, as the present writer will endeavor to show farther along. The northwestern portion of Berkeley and a portion of Frederick are also watered by Tuscarora, Mill and Back creeks. There are a number of smaller creeks, including the Bullskin in Clarke, Abraham's creek at Winchester, and other tributaries of the main water courses. The country abounds in springs, some of the largest on the continent, and there are a number of mineral springs of the highest value, whose curative waters annually draw hundreds of persons from all sections of the country. Several of these resorts are most elegantly and conveniently arranged for the accommodation of the public, and present attractions for health and pleasure that have given them a world-wide reputation. The medicinal springs are of all grades and colors of sulphur, white, black, blue, yellow and gray; there are also chalybeate and other waters. The general geological formation being limestone, there are numerous caves throughout the entire section, some of them of most wondrous beauty and size.

Geologically considered, this valley is placed in the Carboniferous, or fourth group of the Palæozoic, or second subdivision of the two great systems into which the crust of the earth is divided. It also partakes in part of the Cambrian and Silurian epochs. This geological period, or strata, gives the coal measures and the gray, or blue limestone, which affords from its disintegration the soil whereon man in all portions of the world has been enabled to produce the finest crops of all the most useful and most nourishing of the gifts of Mother Earth—wheat, corn, oats, and the hardy fruits and vegetables. Although from the Massanutton mountain to the Potomac the soil is as a rule limestone, yet there are ledges of shoal rock, and a singular outcropping of slate. This slate upheaval varies in width from two to six miles, and extends from the northern end of the Fort mountain to the Potomac. The Opequon, with the exception of a few miles eastward from where it rises in the Little North mountain, follows this slate country, and in all its sinuosities never leaves it till it empties into the Potomac. The geological explanation of this singular freak of nature (one, by the way, that is very rare) is, that at some period in the remote past the Massanutton, or Fort mountain, continued northward from where it appears to-day so abruptly broken off above Strasburg; and that some grand upheaval of the earth swept away this lower portion of the elevation, leaving the slate base as we now see it. The theory is not only plausible, but forces itself upon

the mind, when the structure of the Fort mountain is examined. The width of the slate formation and the general width of the range of hills named are the same, whilst at the base of the peak, which is so prominent an object going southward from Winchester, the slate strata correspond exactly with those all the way along for forty-five miles. In fact, this swept-away range doubtless extended far to the northward, for across in Maryland they have what they call the "slate hills," a section that is not as good for farming as their other lands; and even up through Pennsylvania the slate ledges continue. Those slate lands in the Lower Shenandoah Valley have been highly cultivated and upon them are some excellent farms. All the rest is pure gray limestone soil, extremely fertile, and especially in Jefferson and Clarke counties, the soil has been pronounced, and the results have shown for the past hundred years, that this section has no equal in the same space for richness and productiveness.

That there is great mineral wealth in the mountains throughout this entire section is not a matter of mere speculation, for investigation and the practical opening of a number of mines of different kinds have given a glimpse of the possibilities that are in store for those who will reach forth and reap the harvest. It has been said by scientific experts that there is enough iron ore of the most superior quality in the mountains of this section from the Potomac to the Fort mountain to supply the world for all time to come, and that it is susceptible of easier working, as it lies nearer the surface, than the deposits of Pennsylvania or Alabama. Only to a very limited extent have the mines already opened been worked, yet considerable quantities are shipped to Pennsylvania furnaces. The ores are various, as not only have large deposits of brown oxides, carbonates and black bands been found, but brown and red hematites, which give the best results, being much richer. Coal, to a certain extent, has been mined, but appliances have been lacking to make the efforts in that direction entirely successful. In the western portion of Berkeley county, however, fine veins of true anthracite have been known and worked to a limited extent for many years. This new anthracite field is destined in the not distant future to yield handsome returns. Geologists and experienced mining operators have pronounced this Berkeley anthracite vein to be a continuation of the anthracite deposits of Pennsylvania. Copper and lead have also been found and worked to a limited extent, and indications of silver have been reported. Rich mines of manganese

have been worked for many years, and umbers and ochres are worked with profit. The finest building stone is to be found everywhere, and the most of the fossiliferous limestone is susceptible of the highest polish, whilst the lime produced is of the best quality, containing little or no magnesia. Clays of all varieties are in abundance, and there are found in several localities what is thought to be a genuine "fuller's earth." All varieties of timber are here found in inexhaustible quantities: oak, hickory, ash, walnut, maple, poplar, beech, birch, white pine, cherry, spruce, hemlock, linden, etc.—the mountains from base to summit being covered with them.

The Shenandoah Valley has been very aptly termed the "Garden of Virginia," for the happy mean of its climate makes it a most desirable place for the residence of man. The warmth of its summers is modified by the cool mountain breezes, whilst the chilling breath of winter is tempered by the sheltering arms of these same mountains, and their proximity always assures, during the most heated terms, abundant refreshing rains. It has been compared favorably with the climate of California, but it has the salubrity and evenness of the Pacific coast region, without its drawbacks of "dust and dampness"—all rain or none at all. The rains of this section fall in season, and the snows of winter are gradually melted and flow down into the valleys to bring fertility to the soil and freshness to the landscape. To realize what this valley is as far as the mind can comprehend through sight, one should take a position on an elevated spur of the Blue Ridge and facing westward drink in the beauties of this modern Arcadia. Whilst breathing the pure fresh air of the mountains cast your eyes upon the impressive scene that lies before you. Below gleam the pellucid waters of the many streams, skirted by tall trees with drooping foliage; the chamædaphnes in full bloom, and burdening the air with their fragrance; the mighty forests and smiling fields that lie in almost endless expanse, distance lending to the landscape the effect of the most carefully kept garden. Far away to the right and left, glinting and gleaming in the sunlight, winds and brawls the beautiful Shenandoah; here and there hid by the foliage overreaching its bright waters; anon appearing as some huge silvery serpent; again concealed by a sweep of the mountains; and still beyond it seems diminished to a shining thread. In front of you across the valley are stupendous mountain ranges, all clothed in luxuriant verdure, at places curving far into the plain, and at those places and at

the summits, bathed in a sea of golden light; at others, receding, thrown into dark, sombre, forbidding shades. Beyond are mountains piled on mountains like an uptossed ocean of ridges, until they melt away in clouds and distance, imagination fancying others still farther on. High in the blue ether float clouds of snowy whiteness, and far above them, in majestic flight, sails the bird of the mountain, with an air as wild, as free, as the spirit of liberty. Everything seems to be rejoicing. Innumerable songsters are warbling sweetest music, and wild flowers, with scarce the morning dew from off their lips, are opening their bright petals to the wooing sun; whilst even the tiny insects, flitting through the air, join in the universal sense of overpowering delight! These grandest scenes of nature are within a few hours' ride by rail of our busiest cities, yet there are thousands to whom these glories are as unknown as the wilds of Africa. No wonder, then, that when the savage had by decreasing numbers made it comparatively safe for the white man to take up his abode here, that numerous adventurous spirits cut their way through the wilderness and forded raging streams to plant their cabins upon this virgin soil. But it was not then what it is now, in many respects. There were no comfortable habitations; no stores from which to get supplies; no physician in case of sickness; no schools; no churches; no roads that could be called such, only narrow Indian trails; none, or very little, of those comforts of life that now make our civilization the best the world has ever witnessed. The entire face of the country was covered with tall grass, so tall that one on horseback could tie it across the saddle. This prairie condition not only existed in the valleys, but extended to the tops of the mountains, and along the hillsides grew in abundance pea vines, which afforded the best of food for cattle and even horses. There was no timber, or at least very little, with the exception of narrow fringes along the water courses. The deer, the elk, and even the buffalo roamed and fed on the rich grasses, and the streams were alive with fish and aquatic animals.

CHAPTER III.

INDIANS AND PREHISTORIC.

THE ANCIENT ABORIGINES—THEORIES OF THEIR ORIGIN—THEIR VAST ANTIQUITY—WERE THEY AUTOCHTHONOUS?—THE CONQUERING MOUND BUILDERS—THEIR STUPENDOUS WORKS—THEIR NUMBERS AND THEIR RETREAT WESTWARD—THE MONTEZUMAS AND THE INCAS—THE ZUNIS—THE INDIAN AS A SAVAGE—THE BORDERERS—THE SHAWANEEES, AND CORNSTALK—INDIAN CONFLICTS—INDIAN SETTLEMENTS—SHAWNEE SPRING AND CABINS—CHARACTER OF THE INDIAN—HIS MANNERS, CUSTOMS, HABITS, DRESS AMUSEMENTS AND RELIGION.

AS heretofore stated, when the first white settlers entered the valley of the Shenandoah the Indian reigned in absolute supremacy, and had doubtless for centuries lived and hunted and fought and died in this splendid country. How long he had inhabited this region undisturbed is now a matter lost to conjecture, even, but that he *had been* disturbed is beyond peradventure, and by a race of people far higher than himself in the scale of primitive humanity, and whose origin is as far beyond the scrutiny of the present dwellers on the earth as is that misty Past whereof we know naught save that *it was*. That this prehistoric race—these antagonists of the ancient aborigines—the so-called Mound Builders, were a superior people to the Indian, the numerous works they left, many of which are extant to-day, amply attest.

There are theories and theories in regard to the origin of the Red Indians. Some place them far back in the conjectural history of the world; others affirm that they are the lineal descendants of two of the "lost tribes" of Israel; still others argue that in consequence of certain apparently similar characteristics they possess in common with the ancient Scythians, that they had the same origin. All these theorists, as a general rule, agree that at some remote time the ancestors of the Indians made their way from Asia by way of what we now call Alaska. They even place the date as far back as the period when America and Asia were not divided by straits. But whatever the time at which they came, or from what point, one thing is certain, that their

migration was at so remote a period as to have caused them to bear characteristics of physique in many respects entirely different from any other race of men known to the comparative anatomist, whilst their language contains peculiarities of construction, form and inflection that render it at once strong and unique, having no affinity for any other language spoken by man, so far as the researches of comparative philologists have ascertained—there not being in any of the Indian dialects a single word traceable to any other speech ever uttered. These facts are not only singular but startling, for all other languages can be traced back to a common origin of two or three great groups—all the languages and dialects, for instance, of the Caucasian, or white race, being discoverable in the Sanscrit, that most perfect of written languages, as well as the most ancient, of what we term the Aryan stock, those prehistoric dwellers at the foot of the Hindoo Kosh—the so-called “cradle of the race.” 1676109

Whence, then, came our Red Man? He may either have landed upon this western continent at so early a date after the Creator had made the world habitable for man, that his ancestors and their language and all knowledge of them had been swept into oblivion, or he may have been what the ancient Greeks claimed for themselves, an *autochthon*, “a springer from the soil.” That two entirely distinct races of people occupied the North American continent is probable, for when one nation can be shown to have been engaged in warfare it implies that they had somebody to fight them. From the Gulf of Mexico to the great lakes, and stretching from the Rocky mountains eastward to within one hundred and fifty miles of the Atlantic coast may be found hundreds of artificial fortifications, and other earth-works, all of the same character, and evidently reared by the same people. Along the water courses, especially in the western States, and particularly in the State of Ohio, but extending through all the middle States, may be found numerous mounds of defense and offense, mounds of observation, memorial mounds, sacrificial mounds, sepulchral mounds, and elevations the purposes of which cannot now be well conjectured, two or three of the latter being the alligator, the serpent, and the eagle mounds in Ohio, the exact shape of these animals being reared from four to six feet above the level of the plains upon which they were erected, and in length from four to eight hundred feet. The people who constructed these immense works were not only numerous but must have been considerably farther advanced

in civilization than their antagonists. That they had a religion their altars and sacrificial mounds give evidence, and that they were somewhat skilled in the erection of fortifications, the localities and surroundings of their works attest. Situated mostly on the bluffs of streams they combine picturesque scenery, susceptibility of defense, and convenience to transportation, water and productive lands. These are not requisites in the nomadic life of the Indian and unmistakably constitute the Mound Builders as a partially civilized and agricultural people. All these earth-works were originally thought to have been simply graves of the Indians, but of late years and after proper investigation they have been shown to be the work of another race of people. The earliest account that the writer has been able to glean in this matter is to be found in a letter published in the *Virginia Journal and Alexandria Advertiser* of March 2, 1786, wherein the correspondent says:

"Nov. 1st we left Wheeling and landed about 13 miles below, at a place called Grave Creek, from a heap of earth raised in ancient time, about half a mile from the river, called by some an Indian Grave: This I viewed—it stands on an extensive plain of excellent bottom land covered with wood; is raised in pyramidal form, the base about 120 or 130 feet, and the height about 60 or 70 feet. The angle of ascent is about 45 degrees, the top about 50 or 60 feet diameter and sunk in a regular circle like a bason, about 4 or 5 feet, leaving a perfect marginal rim around the circle; this pyramid is covered with trees, some white oak I believe 9 feet in circumference; the trees on the plain do not appear as ancient as those on the pile of earth.—The tradition is that this was an Indian burial ground; I am more inclined to believe it a tower of defense, or a place devoted to acts of worship."

Many of these prehistoric mounds have been known to the settlers in this valley ever since its occupation, and some of them have been opened, revealing much that is not only curious but puzzling: stone axes, flint arrow-heads, spear-heads, pottery of various kinds, the bones of fish, birds and other animals, and numerous skeletons, some of very large size. Located near a great many of the larger mounds—mounds of fortification—are to be seen "pitholes," depressions in the ground, which were evidently the *houses* of those who occupied the forts. Many of these pits, which are now very shallow, have been examined and at the original bottom of them have been invariably found ashes and bones of animals, such as the turkey, squirrel, raccoon, opossum,

deer, bear and fish, showing that these depressions served as the living places of the inhabitants, where they slept and ate. Roofs of wood or the branches of trees may have been used to shelter them from rain and sun, as a people who had the patience and the ingenuity to erect the wonderful and stupendous mounds we now find, would have undoubtedly had an eye to their own personal convenience and comfort. As to the religion of these ancient dwellers, it has been argued that they were sun-worshippers, from the fact that the *front*, so to speak, of nearly all their works looks to the eastward, but this fact may be accounted for upon another theory, that they came from the westward and consequently made that portion of their works upon the east, toward their antagonists, who were slowly receding eastward, the strongest.

The Indians adapted many of the burial mounds to their own uses after they again became possessors of the land from which these "strange people from the far sea" (meaning the Pacific) had driven them, and it is, indeed, thought by very eminent archaeologists that a third race, distinctive from the Red man and the Mound Builder, occupied this soil for a time, for between the remains of the Mound Builders at the bottoms of the elevations and the Indian graves nearer the surface, are to be found a third class of interments, called by the scientists *intrusive* graves, which bear characteristics differing from the other two, but which may be accounted for from difference in class or rank, as all primitive races, and modern peoples, too, for that matter, have endeavored to give their high and mighty dead a sepulchre varying from that of the common herd when placing them in the bosom of Old Mother Earth, who, however, receives all her children, king and thrall, with the same fond embrace.

Whether more than the two great nations now known as the North American Indian and the Mound Builder dwelt upon this continent, is but a matter of speculation, for no evidences of a third occupation of the country are discernible, save in the matter of graves, which is at best small proof. The Indians at first dwelling, possibly, in the warmer sections of the west and southwest, along that portion of the coast comprising at present California, Mexico and Central America, were encroached upon by a race of hardy adventurers who had landed upon or made their way to the northwestern portions of the continent, and these interlopers, in the course of time increasing very rapidly in consequence of their partial advancement in civilization, gradually be-

came as numerous as the original occupants, and forthwith set about their conquest, for it seems that the next thing that primitive man is impelled to do after he has satisfied the cravings of his stomach, is to fight something or somebody. Now these ancient warriors—these conquering Mound Builders, whom we so call because we know no better name for them—kept pressing his inferior foe backward and still backward, everywhere erecting his fortifications and establishing his towns and altars, till the Indian was driven eastward to the Atlantic coast. This conquest may have been accomplished only after centuries of fighting, but that the inferior race was driven to the east is almost beyond doubt, for the following reasons: Running north and south across the State of New York and a portion of Pennsylvania, a series of mounds averaging about ten miles apart is still to be seen, although in some instances they are almost obliterated by the hand of man. These offensive and defensive earthworks represent the line at which the Indian made his "last ditch," for beyond these fortifications there is no trace of the Mound Builder eastward. Becoming desperate, as a pursued and oppressed people will upon occasion, the Indian rallied, turned upon his oppressor and eventually beat him back to the western coast, where, after the lapse of centuries, the Mound Builders founded the splendid barbaric civilizations which resulted in the Montezumas in Mexico and the Incas of Peru. The mysterious tribe of Indians known as the Zunis are also supposed to be lineal descendants of the Mound Builders, a portion of that ancient race, possibly, who always adhered to their time-honored religious rites, who looked upon the gilded advancement of their people as a profanation in the eyes of their gods, and who took up their dwelling places far away from the splendor of the courts of their emperors.

The idea that the Mound Builders were an older race than the Indian has been generally believed, but thinkers are now beginning to consider the Red man as one of the Almighty's earliest pieces of handiwork. That he was exceedingly inferior to his great antagonist, and entirely unacquainted with the least semblance of the arts of war is very apparent. He knew nothing of the value of fortifications, and in all his contact with the white man he was never known to erect any mode of defense whatever, not the simplest piling of one log on another. When he endeavored to repel the Mound Builder, from whom he may possibly have gained his first lessons in fighting, it is thought that his only weapon was nature's first implement of warfare,

the club, the Mound Builder using the bow and arrow, and from whom the Indian learned the trick of that effective weapon. The Indian of to-day has no knowledge of any of his ancestors having made a flint arrow-head, and none of those with whom the white man has ever come in contact has related any tradition that his people ever made them. How an extremely hard piece of flint can be chipped as accurately and as delicately as we find in thousands of cases, by a people who seem to have had no knowledge of a single metal, is one of those inscrutable mysteries destined never to be solved by this age. But these little stone missiles have been literally found by the peck. A more ingenious, a more patient people than the Red Indian did that work. He simply used them after obtaining from his conqueror the "trick of the bow and arrow." The retreating Mound Builder left stores of them in his flight as a modern army leaves its ammunition when hard pressed. Why, the skill of the most experienced lapidary of to-day would be taxed except with the best tools to make a fac-simile of a first-class flint arrow-head. The lordly Indian of not many centuries ago was simply an inferior barbarian with the skin of a wild beast around him and a club in his hand.

The question has frequently been agitated as to whether the Indian was naturally warlike and cruel, many contending that up to the time that he came in contact with the white man that he was not; his advocates and apologists even going so far as to say that he lived in a state of absolute peace, that his principal occupation was to hunt the wild game, roam through the sylvan dells of the flowery forest, or recline beneath the shade of some stately oak, etc., but the facts do not bear out this Arcadian theory. When the white man began his settlements in the new world he found the Red Man at war with his own kind: nation arrayed against nation, and tribe against tribe, and when some luckless settler wandered away from his cabin alone he rarely returned; neither age, sex nor helplessness was respected. An infant would be snatched from the breast of its mother and its brains dashed out against a tree or rock with less feeling than we of to-day would kill a chicken. The sentiment of mercy seemed not to have an abiding place in the savage breast, and gratitude was unknown; treachery seemed inherent, and this faculty was cultivated to such extent that whilst in the act of receiving favors and kindness from the white man, the ungrateful recipient would strike his friend to the earth with his tomahawk. Years of contact with civilization leave no

impress upon this savage—he is a savage and nothing more. An instance of his extreme treachery and ungratefulness to those who would have benefited him may be recalled in the incident happening about fifteen years ago, when a party of gentlemen, commissioners of the government, were brutally murdered by a number of what were supposed to be the better class of Indians, the savages rising whilst holding a council with the party and striking the unsuspecting and unprepared whites to the earth. True it is that the Red men had great cause for enmity against the white invaders, who encroached upon their favorite hunting grounds, but their acts of barbarity and fiendish cruelty outweighed the wrongs inflicted in that respect. The old pioneers of this valley learned to cope with the savage foe, and soon beat him at his own game. Bitter experience produced those sturdy borderers, the Boones, the Frys, the Bradys, the Wetzells and the Poes, those fearless advance guards in the march of civilization who cut the way with rifle and “long knife” that the wheels of progress might onward pass.

There seems to have been two grand divisions of Indians in Virginia when the settlement was made by the whites at Jamestown, those inhabiting the country east of the mountains being ruled by Powhattan, and those beyond the mountains by some other powerful chieftain, the ancestor, doubtless, of the lordly Indian known afterward as Cornstalk. The Indians of the east called those across the mountains the Massawomacs, their hereditary and natural enemies. This entire valley along the Shenandoah River, at least, is supposed to have been held by the powerful confederacy of Shawanees, at the time the first settlers came here, and were ruled by the father of the great Cornstalk, who must then have been a boy in some wigwam along the beautiful river just mentioned. This great warrior may have been born and reared near the famous Shawnee Spring at Winchester, which is supposed to have been the headquarters, or court, of the Indian emperor, as it is the only locality in the valley that is known distinctively by the title “Shawnee.” The Indians as a body, however, left this section about the time of the arrival of the whites, and took up their abodes beyond the Alleghany mountains. There is no tradition left of any great battle having been fought in this valley by the Shawnees and their enemies across the Ridge, but a number of extensive lines of graves are to be found, now almost obliterated, along the south river as well as in the main valley. The last great battle between pow-

erful tribes occurred at about the mouth of the Antietam creek on the Maryland side of the Potomac. The Delawares, who inhabited the eastern and a portion of the middle sections of Pennsylvania, and the Catawbias of the South, appear to have been at deadly enmity from time immemorial. The Delawares had gone on an expedition against the Catawbias, but the latter, pursuing the former, overtook them at the Potomac at the old Packhorse Ford, east of Shepherdstown, when a battle ensued which resulted in the total annihilation of the Delawares, with the exception of one, who, however, being pursued was overtaken at the Susquehanna and killed and scalped, but the old chronicler who relates this event was considerably mistaken, for the Delawares many years after that battle were a large tribe, some of their descendants still living on reservations of land in the West at this date. Another battle is said to have occurred at the mouth of the Opequon between these same tribes, who would go hundreds of miles for the sake of scalping their enemies or getting scalped themselves. Other Indian engagements occurred in the adjoining valleys, and one especially at the Hanging Rocks, in Hampshire county. The large number of graves existing at this point gives evidence of a very sanguinary affray. These graves have been lately (1889) opened and many skeletons and relics have been unearthed by agents of the Smithsonian Institute at Washington.

Many evidences of Indian settlements were a few years ago to be seen along the Shenandoah river, at Shannondale Springs, along Cedar creek, the Opequon and Back creek. The Tuscaroras resided on the creek of that name in the county of Berkeley. In addition to the settlement near Winchester known as the "Shawnee Cabins" and "Shawnee Springs," an Indian town was in existence till a comparatively late date on Babb's Marsh, three or four miles northwest of Winchester. "Abraham's Delight," as the old Hollingsworth place was named by Abraham Hollingsworth before 1732, was one of the favorite camping spots, in consequence of water, for the Indians, and the famous Morgan Spring on the farm of the present Col. W. A. Morgan, near Shepherdstown, was known far and wide among the aborigines.

As to the character of the Indian, it varied little save in degree of ferocity. Frequently some chief would attain greater importance than his fellows in consequence of the exhibition of sterner stuff in his make-up and shrewder qualities in the conduct of a tribal campaign, and occasionally one of these chiefs would loom up as a savage Han-

nibal or a Cæsar. Powhattan and Logan and Cornstalk were examples of this class. Of Cornstalk it is said that "he was gifted with oratory, statesmanship, heroism, beauty of person and strength of frame. In his movements he was majestic; in his manner easy and winning." Of his oratory, Col. Benjamin Wilson, an officer in Lord Dunmore's army, says: "I have heard the first orators in Virginia, Patrick Henry and Richard Henry Lee, but never have I heard one whose powers of delivery surpassed those of Cornstalk." In proof of these claims is the fact that he was the head of a great confederacy of tribes, and led them at the battle of Point Pleasant. He met his death at Point Pleasant in 1777, under the following circumstances: Cornstalk had gone to the fort for the purpose of interviewing Capt. Arbuckle, the commandant. He was accompanied by Chief Red Hawk and a few attendants. About the time the council closed, two of the soldiers returning from a deer hunt, on the opposite side of the river, were fired upon by some Indians concealed on the bank, and "whilst we were wondering," says Stuart, an eye-witness, "who it could be shooting contrary to orders, or what they were doing over the river, we saw that Hamilton ran down to the bank, who called out that Gilmore was killed. Young Gilmore was from Rockbridge; his family and friends had been mostly cut off by the incursions headed by Cornstalk in 1763; he belonged to the company of his relative, Capt. John Hall. His companions hastily crossed the river, and brought back the bloody corpse, and rescued Hamilton from his danger. The interpreter's wife, lately returned from captivity, ran out to inquire the cause of the tumult in the fort. She hastened back to the cabin of Cornstalk, for whom she entertained a high regard for his treatment of her, and told him that Elinipsico (son of Cornstalk, who had lately arrived at the fort) was charged with bringing the Indians that had just killed Gilmore, and that the soldiers were threatening them all with death. The young chief denied any participation in the murder. The canoe had scarcely touched the shore until the cry was raised, '*Let us kill the Indians in the fort,*' and every man, with his gun in his hand, came up the bank pale with rage. Capt. Hall was at their head and their leader. Capt. Arbuckle endeavored to dissuade them, but they cocked their guns, threatened him with instant death if he attempted to bar their way, and rushed into the fort. Elinipsico hearing their approach trembled greatly. Cornstalk said: 'My son, the Great Spirit has seen fit that we should die together, and has sent

you here; it is his will; let us submit. It is best.' He turned and met the enraged soldiers at the door. In a moment he fell, pierced with seven bullets, and expired without a groan. Elinipsico sat unmoved upon his stool, received the shots of the soldiers, and expired without a motion. Red Hawk endeavored to escape by the chimney, but was shot and fell into the ashes." The old writer, Stuart, says that "*no arrests* were made." It possibly would have been a rather tough job to have arrested that company of Rockbridge six-footers with guns in their hands, for killing three or four of the *red devils*, as they called the Shawanees. Of all Indians the Shawanees are said to have been the most bloody and terrible, holding all other men, whites as well as Indians, in contempt as warriors in comparison with themselves. This opinion made them more fierce and restless than any other savages, and they boasted of having killed ten times as many whites as any other Indians. They were a well-formed, ingenious and active people, presumptuous and imperious in the presence of others not of their nation, and always cruel. It was chiefly the Shawanees that defeated Braddock, killing that General and Sir Peter Halkett in 1755. They also defeated Major Grant and his Scotch Highlanders at Fort Pitt in 1758.

In regard to the manners, customs, habits, employments, amusements, dress, food, habitation, etc., of the Indians, the author has compiled the following from various sources reaching back to colonial times, which may be found interesting as well as a matter for preservation:

When the English first arrived at Jamestown it has been claimed that the North American continent was not as thickly inhabited by the aborigines as is generally supposed. In fact, it has been doubted as to whether their settlements extended to the prairie country of the west, for that class of lands would not afford adequate shelter for much of the game desired by the savages, and none at all for the latter during the severe winters. It has been computed, therefore, by Trumbull, that only about 150,000 were within the compass of the thirteen original States. It is altogether probable that all mountainous or timbered regions, however, contained large populations, even to the lakes and to the Pacific coast, for, as has been attempted to be shown by the writer, the Indian is an old inhabitant of America. In their physical character the different tribes within the boundaries of the United States were nearly the same. Their persons were tall,

straight, and generally well proportioned. Their skins were of a red, or copper-brown color; their eyes black, and hair long, black and coarse. In constitution they were firm and vigorous, and capable of sustaining great fatigue and hardship.

As to their general character, they were quick of apprehension, and not wanting in genius, at times being friendly and even courteous. In council they were distinguished for gravity and a certain eloquence; in war for bravery and stratagem. When provoked to anger they were sullen and retired, and when determined upon revenge no danger would deter them; neither absence nor time could cool them. If captured by an enemy they never asked life, nor would they betray emotions of fear even in view of the tomahawk or of the kindling faggot.

Education among these rude savages of course had no place, and their only evidence of a knowledge of letters was in a few hieroglyphics; the arts they taught their young were war, hunting, fishing, and the making of a few articles, most of which, however, were produced by the females. Their language was rude, but sonorous, metaphorical and energetic, being well suited to the purposes of public speaking, and when accompanied by the impassioned gestures and uttered with the deep guttural tones of the savage, it is said to have had a singularly wild and impressive effect. They had some few war songs, which were little more than an unmeaning chorus, but it is believed they had no other compositions which could be called such or worthy of preservation. Their manufactures were confined to the construction of wigwams, bows, arrows, wampum, ornaments, stone hatchets, mortars for pounding corn, the dressing of skins, weaving of coarse mats from the bark of trees, or a wild hemp. The articles they cultivated were few in number: Corn, beans, peas, potatoes, melons and a few others.

Their skill in medicine was confined to a few simple preparations and operations. Cold and warm baths were often applied, and a considerable number of plants were used with success. For diseases they knew but little remedy, but had recourse to their "Medicine men," who treated their patients by means of sorcery. They had few diseases, however, in comparison to those prevailing among civilized people. The women prepared the food, took charge of the domestic concerns, tilled the scanty fields, and performed all the drudgery connected with the camp. Amusements prevailed to some extent, and

consisted principally of leaping, running, shooting at targets, dancing and gaming. Their dances were usually performed around a large fire, and in those in honor of war they sang or recited the feats which they or their ancestors had achieved; represented the manner in which they were performed, and wrought themselves up to a wild degree of martial enthusiasm. The females occasionally joined in some of these sports, but had none peculiar to themselves. Their dress was various. In summer they wore little besides a covering about the waist, but in winter they clothed themselves in the skins of wild beasts. They were exceedingly fond of ornaments. On days of show and festivity their sachems wore mantles of deer skins, embroidered with shells or the claws of birds, and were painted with various devices. Hideousness was the object aimed at in painting themselves, which was intended to strike terror into the hearts of their enemies. Chains of fish bones and skins of wild-cats were worn around the neck, as marks of royalty.

In the construction of their habitations the Indians exercised but little judgment, their huts, or rather wigwams, consisting of a strong pole, erected in the center, around which other poles were driven obliquely into the ground and fastened against the center pole at the top. These were covered with the bark of trees, and were but poor shelters, when considering the amount of material to be obtained in the primitive woods. The domestic utensils did not extend beyond a hatchet of stone, a few shells and sharp stones which they used in place of knives; stone mortars for pounding corn, and mats and skins for sleeping upon. They sat, ate and lodged upon the ground. With shells and sharp stones they scalped their enemies, dressed their game, cut their hair, etc. They made nets of thread or twine, twisted from Indian hemp, or of the sinews of the moose and deer, and fish hooks from bones bent for the purpose. Their food was of the coarsest and simplest kind—the flesh, and even the entrails of birds and beasts, and in season corn, beans, peas, etc., together with the fruit, nuts and herbs of the forest. They cooked their meat on sticks held to the fire, but in some instances boiled it and corn by putting hot stones in the water. Parched corn was much used, especially in winter, upon which they lived in the absence of other food. Their money, called wampum, consisted of small beads wrought from shells, and strung on belts and in chains. These wampum beads varied in value, according to color, they being black, white, blue, and purple.

A belt of wampum was given as a token of friendship, or as a seal or confirmation of a treaty.

There was little among the aborigines that could be called society. Except when roused by some strong excitement, the men were generally indolent, taciturn, and unsocial; the women were too degraded to think of much besides their toils. Removing too, as the seasons changed, or as the game grew scarce, or as danger from a stronger tribe threatened, there was little opportunity for forming those local attachments and those social ties, which spring from a long residence in a particular spot. Their language, also, though energetic, was too barren to serve the purposes of familiar conversation. In order to be understood and felt, it required the aid of strong and animated gesticulation, which could take place only when great occasions excited them. It seems, therefore, that they drew no considerable part of their enjoyments from intercourse with one another. Female beauty had little power over the men, and all other pleasures gave way to the strong impulses of public festivity, the burning and torturing of captives, seeking murderous revenge, or the chase, or war, or glory. War was the favorite employment of these savages. It roused them from the lethargy into which they fell when they ceased from their hunting excursions, and furnished them an opportunity to distinguish themselves—to achieve deeds of glory, and taste the sweets of revenge. Their weapons were bows and arrows, headed with flint or other hard stones, which they discharged with great precision and force. Some tribes clothed themselves in the thick skins of wild beasts, as a defense against the arrows of their enemies. When they fought in the open field they rushed to the attack with incredible fury, at the same time uttering their appalling war-whoops. Those whom they took captive, they usually tortured with every variety of cruelty, and to their dying agonies added every species of insult. If peace was concluded, the chiefs of the hostile tribes ratified the treaty by smoking in succession the same pipe, called the calumet, or pipe of peace.

The government of the Indians in general was an absolute monarchy, though it differed in different tribes. The will of the sachem was law. In matters of moment, however, he consulted his counselors, but his decisions were final. War and peace, among some tribes, were determined on in a council formed of old men, distinguished by their exploits. When in council they spoke at pleasure, and always

listened to the speaker with profound and respectful silence. Says an old writer: "When propositions for war or peace were made, or treaties proposed to them, by the colonial governors, they met the ambassadors in council, and at the end of each paragraph or proposition, the principal sachem delivered a short stick to one of his council, intimating that it was his peculiar duty to remember that paragraph. This was repeated till every proposal was finished. They then retired to deliberate among themselves. After their deliberations were ended, the sachem, or some counselors to whom he had delegated this office, replied to every paragraph in its turn, with an exactness scarcely exceeded in the written correspondence of civilized powers. Each man actually remembered what was committed to him, and with his assistance, the person who replied remembered the whole."

The religious notions of the natives consisted of traditions, mingled with many curious superstitions. Like the Greeks, Romans, Persians and Hindoos, they believed in the existence of two supreme powers, a Great Spirit and an Evil Spirit. They in a manner worshiped both, and in some instances are said to have formed rude images embodying their ideas of their deities. They also had great reverence for the sun, thunder, lightning, fire, water, and, in fact, any force they could not understand or control, which is precisely in accordance with the habits of all barbaric or primitive peoples. Their manner of worship was to sing and dance around large fires. Besides dancing they offered a sort of supplication or prayer, and burned a powder composed of pounded roots, also blood, deer suet, and tobacco. Marriage among them was generally a temporary contract. The men chose their wives agreeable to fancy, and put them away at pleasure. A wedding, however, was celebrated with some ceremony, and in many instances was observed with fidelity, not infrequently continuing through life. Polygamy was common, there being no thought, apparently, of its being right or wrong. The treatment of females was cruel and oppressive. They were considered by the men as slaves and treated as such. Those forms of decorum between the sexes, in which lay the foundation for the respectful and gallant courtesy with which women are treated in civilized society, were unknown to them, and the females were not only required to perform severe labor, but often felt the full weight of the passions and caprices of the men. The ceremonies after death varied but little among the tribes. The corpse was usually laid in shallow holes dug with sharpened sticks, upon a

layer of brush and wrapped in a skin. The arms, utensils and ornaments of the deceased were buried with the remains. Some were buried in a sitting posture with face toward the east. Lamentations and cries accompanied an interment, which was more owing to custom, than in consequence of any grief or regret entertained by relatives or friends, as they could witness the torture or slaying of their own sons without being moved in the least. Stoicism seems to be the invariable accompaniment to the character of all primitive people, their mode of life rendering that state of mind necessary.

They had no idea of distinct and exclusive property; lands were held in common, and every man had a right to choose or abandon his situation with or without regard to any one else. Their knowledge of computation is thought not to have been extensive; in fact, very limited. The year was known as a *cohonk*, being so called from the note of the wild goose. The term was more particularly applied to a winter, however, as the geese migrated southward at the approach of that season. The months were known as moons, the days as suns, but the division of the day into hours was unknown. They kept their accounts of any matters of sufficient importance by knots on a string, or notches in a stick.

The Indian's mission, whatever it was, in the economy of nature, has seemingly been fulfilled. It is extremely doubtful that a single one of this ancient race will be alive at the expiration of one hundred years hence. He is one of the world's mysteries, and will probably remain so to the end of time.

CHAPTER IV.

FIRST SETTLERS AND SETTLEMENTS.

EXPEDITION OF GOV. SPOTSWOOD—THE KNIGHTS OF THE GOLDEN HORSE-SHOE—ARRIVAL OF FIRST SETTLERS—NEW MECKLENBURG—THE MORGANS—FIRST CABIN—THE HOLLINGSWORTHS, HITE AND OTHERS—QUAKER SETTLEMENTS—EARLY GRANTS—THE GREAT INDIAN HIGHWAY—SETTLEMENTS ON THE OPEQUON—SOME EARLY NAMES—THE BULLSKIN SETTLEMENTS—NATIONALITIES AND RELIGIONS—FAIRFAX VS. HITE ET ALS.—SETTLEMENT RETARDED—LIST OF THE SURVEYS MADE BY WASHINGTON FOR LORD FAIRFAX.

POSSIBLY the first white man who ever laid eyes upon the beautiful, fertile, and now populous Shenandoah Valley, was Gov. Alexander Spotswood in the year 1716. There may have been white prisoners carried off across the Blue Ridge by the Indians, but none ever returned to tell the tale till the adventurous governor and his followers made their famous trip. Col. Alexander Spotswood was a highly educated and gallant soldier in the service of his sovereign, and withal an accomplished and enterprising man, who was imbued with liberal and progressive ideas, and whose suggestions to the British ministry, had they been promptly and fully carried out, would have prevented much trouble with the French and resulted in great advantage to Britain in America. He was appointed lieutenant-governor in 1710, and immediately began a course that was conservative and progressive; evidently being desirous of not only furthering the interests of his royal master, but the colony of Virginia as well. He had for several years in contemplation the exploration of the country west of what were then known as the "high mountains," but in consequence of the hostility of the Indians it was almost impossible to penetrate this western *terra incognita*, but having finally consummated his plans he determined to go upon the expedition. August 1, 1716, the Knightly Governor, in company with a troop of horsemen, consisting of fifty persons in all, began their westward march from the colonial capital. The company comprised a number of gentlemen, military officers, rangers, servants, etc., with a goodly supply of pro-

visions, ammunition, and, as an old chronicler puts it, "a varied assortment of liquors." After several fights with the hostile savages, who dogged the footsteps of the party almost from the moment of starting, and at the expiration of thirty-six days, at about one o'clock, of September 5, 1716, Gov. Spotswood, who was slightly in the advance, reached the brow of a declivity at the top of the Blue Ridge at Swift Run Gap, and the whole glorious view burst upon his enraptured sight. For some moments, as the members of the Governor's party gathered around him, not a word or sound broke the stillness of the awe-inspiring scene, but they soon dismounted from their horses and drank the health of the King. And what a vision met their gaze as they looked to the westward, northward and southward. As far as the eye could reach the most enchanting landscape presented itself. To the front of them, to the right and left, rolled miles of tall grass, whose golden-green shimmer in that September sun was a marvel to behold; the gently undulating expanse of Nature's virgin fields; the silvery streams in serpentine coils wound in and out for miles away, whilst in the far distance mountain upon mountain seemed piled one upon the other, until lost in the blue and gold of the clouds, challenging the eye to define where cloud began and mountain ceased. Never before had these explorers witnessed the like of this enrapturing fairy scene, and they gazed long and intensely, as thousands have done since then, and as others may do to this day. Even to the present dwellers in the valley the gorgeous and bewildering landscape visible from almost any point of the Blue Ridge Mountains is a continuous revelation, they never tiring in their admiration of its beauties; and an old mountain hunter who has stood, perchance, upon every peak of this range rarely fails to rest his hands upon his trusty rifle and gaze down into the green valley with the glistening Shenandoah brawling far beneath him. Upon the return of Spotswood and his party the governor, in commemoration of the event, had a number of golden horseshoes struck, each of which had inscribed upon it, "*Sic jurat transcendere Montes*"—"Thus he swears to cross the mountains."

From the date of Spotswood's expedition till, possibly, 1725, there is no record of any attempt to make a settlement in the Shenandoah Valley, and even then it was not made from the direction of the seat of the colonial government, that is, from the eastward; but instead, the fame of the great Virginia Valley, for its splendid land, fine water courses, and beautiful mountains, attracted the attention of some

thrifty Germans who had settled in Pennsylvania, along the Susquehanna, and in York and Lancaster Counties. A number of these people moved southward, through Maryland, and crossed the river a few miles above where now is Harper's Ferry, settling along the Cohongoruton (Potomac), from the junction of that stream with the Gerando (Shenandoah), westward for ten or fifteen miles. These Germans were undoubtedly the first persons to make a permanent settlement in the Valley of Virginia, and they founded a village in their midst about 1726 or 1727, calling it New Mecklenburg, in honor of that portion of their fatherland from which they had emigrated to America. The names of most of these Germans may be found to-day in the northern portion of Jefferson County, and belonging to many of the oldest and most respectable families of that section. Mecklenburg, as will be shown further along, was changed to Shepherdstown after Mr. Thomas Shepherd came in, but the village was not organized by law until 1762. Mr. Howell Brown, county surveyor of Jefferson, puts the settlement of Mecklenburg at 1728, but the names of those who settled there cannot now be obtained, as the date of their location was prior to the issuance of any grant in that section, they being simply "squatters" upon the land, and afterward purchasing their rights to the property. Many of these settlers purchased from Richard Ap Morgan, a Welshman, who obtained a grant for a large body of land not long after 1730. This Richard Ap Morgan was the great-grandfather of Col. W. A. Morgan, of Morgan's Spring, whose father was named Abel, and whose grandfather was Abraham, the last named being killed by a stone falling upon him when building the small stone mill which stands just north of High Street in Shepherdstown. On High Street between Princess and Mill Streets, there is a small log house which is believed to have been built by the first Morgan, and is doubtless one of the first, if not *the* first, buildings erected in the entire Shenandoah Valley. This log structure is joined on what is known as the "horse and saddle" plan, and is yet in good preservation, although bearing evidence of great antiquity. Many of the farms surrounding the homestead of Col. Morgan originally belonged to the Morgan estate, being cut off and sold at various periods, and among the pieces of property thus separated the one on which stands the old log cabin passed into the possession of Dr. Reynolds several years ago. Another Morgan, according to Hawks in his "History of the Episcopal Church of Virginia," settled in the lower valley, but whether he confounded

the two families is difficult to say. He at least places his "first settler" at a period ante-dating Kercheval's "first settler" by six years. Hawks says: "Morgan Morgan was a native of Wales, whence he emigrated in early life to the province of Pennsylvania. In the year 1726 he removed to what is now the county of Berkeley, in Virginia, and built the first cabin which was reared on the south side of the Potomac, between the Blue Ridge and the North Mountain. He was a man of exemplary piety, devoted to the church; and in the year 1740, associated with Dr. John Briscoe and Mr. Hite, he erected the first Episcopal Church in the valley of Virginia. This memorial of his zeal, it is believed, is still standing, and now forms that part of the parish of Winchester which is known as "Mill Creek Church." This statement was published in 1836.

From the settlement of Pennsylvania by the arrival of William Penn and his treaty with the Indians in 1682, a large influx of immigrants came to the new colony, among whom were, of course, many of the same faith as Penn, thrifty, well-to-do people; also a large number of Protestant Germans, all of whom settled upon the rich lands along the Susquehanna and other water courses of Pennsylvania. These people in time hearing of the fertile valley of Virginia sought for locations therein, and among the first to obtain a grant from the governor of Virginia was Alexander Ross, a Quaker, who secured forty thousand acres, locating the same north and west and south of where now stands Winchester. This was in 1730, or thereabouts, for the original survey made by the surveyor of Ross, named Ro. Brooks, laying off the boundaries of a tract of land containing 583 acres on Abraham's Creek, about one mile southeast of Winchester, is still in the possession of the Hollingsworth family, for whose ancestor the survey was made. This survey is dated November 23, 1732, and Abraham Hollingsworth was the party to whom the land was conveyed. The Hollingsworths say that Abraham had been living there as a squatter on the land for several years prior to the time that Ross, who having obtained his grant from Gov. Gooch, sent his agent around over his domain to collect pay from those who were settled thereon. Abraham not only paid Ross for his farm, but afterward, to save litigation and trouble, also paid Lord Fairfax a nominal sum to quiet his claim, for that thrifty scion of nobility, as will be further shown, had a wonderful eye for the main chance. Abraham Hollingsworth, from these facts, was doubtless the first settler of this immediate section (now

the upper portion of Frederick County), for the creek along which his land was located was named after him, showing that he had settled at that spot some time before. The father of Abraham Hollingsworth, whose name was David, paid a visit to his son in this same year, 1732, and was killed by a buffalo over near the North Mountain, whilst on a hunting expedition. There was a Parkins family at this time living not far from Hollingsworth's. A number of Quakers about this period, some of whom purchased from Ross, made settlements on Apple-pie Ridge, and elsewhere not far off, among whom were the Bransons, Luptons, Walkers, Beesons, Barretts, McKays, Hackneys, Neills, Dillons and others, and about eight or nine miles southwest of Winchester were several families of Fawcetts, many of whose descendants migrated westward, but some of whom still occupy the original lands. It is said that those who settled on Ross' lands, and the Quakers generally, were free from all depredations of the Indians, for the fame of Penn as a pacificator and as a man who always treated the aborigines with justice, paying them for their lands, etc., reached far and wide among the savages.

All the settlers at this period, 1730, and onward for ten years or more, came from the northward, as already indicated, for between the valley and the "low country," or east Virginia settlements, lay what was considered at that time a range of almost insurmountable mountains without any roads crossing them, save "trails" only known to the Indians; and between these mountains and the eastern settlements roamed thousands of the relentless savages, which constituted the successful expedition of Spotswood one of the most wonderful exploits known to history, for how his little band escaped annihilation is almost a miracle. In addition to these reasons explaining the curious fact that Virginians were the last persons to settle the western section of their own colony, comes another cause, and a very potent one: the "low country" people were generally large land owners and did not need any extension of their domains; besides, they had inherited a certain conservatism, being descended from the Cavaliers, mostly, which trait exhibited itself in their evidently sullen acceptance of Cromwell and the Commonwealth and their joyful hailing of Charles II. at the Restoration. [To digress a moment, and jump from 1730 to 1889, the author is impelled to here note the fact that that ancient conservatism has not been even to this date eliminated: we still move slowly; but then it is a moot question whether all this rush and scramble after

wealth produces more happiness than the old way. The Chinese say no:—their result—an empire 3,000 years old and 400,000,000 population, but Tennyson says, "Better fifty years of Europe than a cycle of Cathay."]

In addition to the Germans who first came and the Quakers, also came many Irish and Scotch-Irish, with a few Welsh and Hollanders, or Dutch, from New York, among the latter being the Vanswearingens and the Vaumeters; among the Welsh the Morgans and others, and among the Scotch-Irish those who settled along Back Creek and on the Opequon. These nationalities professing religions in opposition to the established churches of their native countries sought relief from persecution in the New World. The Catholics also found congeniality in Maryland, remained there after arriving in America, and scarcely a single one emigrated to this valley in the early times. A number of Scotch-Irish families also settled along the Tuscarora and Mill Creek, as well as a few English and Welsh who held to the English established church, among these being Morgan Morgan, the Briscoes and others. The grandfather of Mr. J. H. Smith, of Smithfield, now in Jefferson County, upon whose place occurred the famous operations of the "spooks" who were charged with clipping off the coat tails of sundry gentlemen, and whence arose the title to the locality of "Wizzard Clip," obtained a grant from Gov. Gooch as early as 1729 of 4,000 acres of land, and in connection with which an extraordinary exhibition of vitality is claimed. It would strike one at first thought that it would be impossible for the grandfather of a gentleman now living to have been a man grown in 1729, but Mr. Smith informed Col. H. B. Davenport, who related it to the author, that his grandfather was eighty years old when his son, the father of Mr. J. H. Smith, was born, and that he (J. H.) was born when his father was eighty years of age.

The route taken by these early settlers to reach the valley was one and only one. Starting from York, Penn., not only those living in that locality but those who came from New York, passed down through Maryland and struck the Potomac at the old Packhorse Ford just east of Shepherdstown, which at that date was simply a portion of an Indian trail, but it was the great northern and southern highway of the aborigines for, possibly, centuries, and along which hostile tribes had marched and camped, the Delawares going southward to meet their enemies, the Catawbias, going northward. The great Shawnee tribe, also, with that majestic savage emperor, the famous Cornstalk,

who had no peer in power and sway in Indian annals and tradition but Powhattan himself, has doubtless crossed this old ford many a time, with little thought that a century later his great enemy, the white man, should be engaged near that very spot, one against the other, in a struggle that for loss of life and suffering would put to shame the bloodiest battle in which he had ever engaged.

Several years prior to the settlement of any portion of the valley by the white man, when the Shawnees held undisputed possession of the country along the Shenandoah from the Potomac southward, frequent warlike excursions were made by the Delawares to the country of the Catawbias, who were the natural enemies of the northern tribes, and on one of these expeditions they were accompanied by a white man named John Vanmeter, a Dutchman, or of Dutch descent, from New York. This Vanmeter was evidently one of those early adventurous spirits who loved battle and danger for itself, or possibly was a trader, his Hollandish origin prompting him to ways of traffic. At any rate he knew a good thing when he saw it, for upon his return to Pennsylvania after the Catawbias had not only refused to be exterminated, but had driven their invaders back, he set about turning an honest penny in land speculation. In passing along the South Branch he noticed the richness and beauty of the country and, after reaching home, he proceeded to make application to the governor of Virginia for a grant of 40,000 acres of that same land, which was given him, it is altogether probable, without a quibble, for what was a few thousand acres worth in that far away savage land? He also told his sons to settle there by all means, whenever they turned their eyes southward, which one of them did, and some of his descendants are living there to this day and are among the most respected families of Virginia. This refers to the Vanmeters on the South Branch. Now the original John and his son Isaac, or his two sons John and Isaac, having obtained the grant spoken of, which was on this side of the mountain, along and south of the Opequon, in 1730, sometime afterward sold the grant to a man in Pennsylvania, whom two of the historians of the valley have called Joist Hite, Kercheval having so spelled it, and the rest following that pleasant old chronicler. The author hereof has investigated the matter somewhat, and is extremely doubtful whether any mother ever gave so singular a cognomen to her offspring as *Joist*. He is of opinion that if Hite was Scotch-Irish, as some suppose, that his christian name was *Joyce*, a pecu-

liarily Irish appellation. If he was German, his name was doubtless *Jost*, that is *Yost*, the German *j* being pronounced *yot*. The writer is therefore of the impression that this first settler on the upper Opequon was named *Yost Heit**, the word *heit* being a frequent termination of German words. He is also borne out in this idea by the fact that one at least of Hite's descendants was known as *Yost Hite*. Be this as it may, the man known as Joist Hite came from York, Pennsylvania, in the year 1732, bringing with him his three sons-in-law, and following in his wake a number of others, making in all about sixteen families. The old gentleman having first choice, settled on the Opequon, five miles south of where Winchester now stands, and upon the great Indian highway to the upper valley, which was afterward enlarged, macadamized, and is now known as the Valley Turnpike. Jacob Chrisman, one of his sons-in-law, proceeded two miles farther south, on the same road, and settled at a spring, the place being still known as Chrisman's Spring; another son-in-law, George Bowman, moved still farther south on Cedar Creek; whilst the other, Paul Froman, located several miles west of Bowman on the same stream. Peter Stephens and several others settled at what is now Stephens City, but which was at first known as Stephensburg, then Newtown, and Newtown-Stephensburg. Stephens founded the town in conjunction with several others, and named it after himself. Robert McKay, William Duff and Robert Green were three other heads of families who came with Hite. McKay settled on Crooked Run, about nine miles southeast of Stephensburg, and Duff and Green, who subsequently obtained a grant in connection with Hite, for one hundred thousand acres additional land, located their portion of the tract east of the Blue Ridge, and settled over there. Their respective families becoming among the leading citizens of that section, and one of their mutual descendants, Gen. Duff Green, attaining considerable eminence. Some of the descendants of Jost Hite became prominent citizens throughout the valley, one of them, Col. Hite, being a gallant Revolutionary officer, and another, who settled in the lower part of the valley, became wealthy, whilst still another is named as one of the three gentlemen who built the first Episcopal Church

* Since writing this portion of this chapter the author has found the name *Yost Hite* in hundreds of instances in the justices' order books and in the first deed books, thus confirming the conclusions he had arrived at previously. Why the writer of a history should neglect the old records in his search for facts and names is a mystery, but such has been the case with all who have heretofore written anything in relation to the valley.

south of the Potomac in the valley, the other two being Morgan Morgan and Dr. Briscoe.

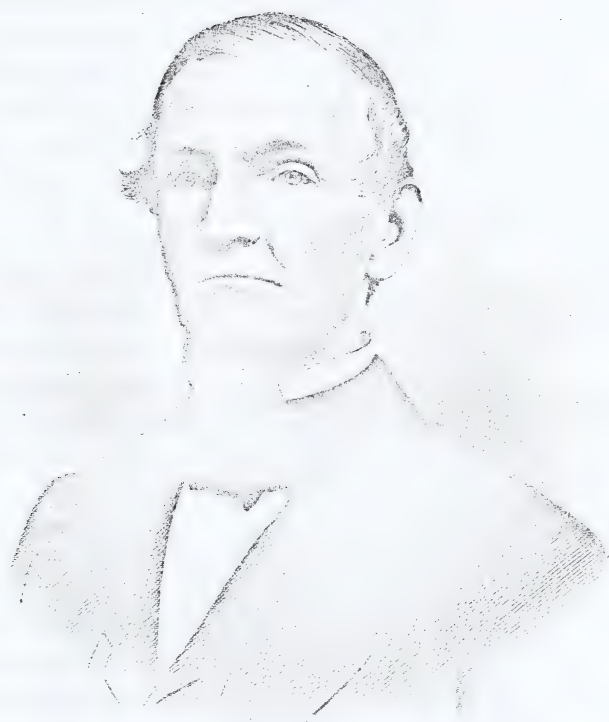
As stated previously Richard Ap Morgan having obtained a large grant of land on the Potomac in the vicinity of the old Packhorse Ford, and at what is now Shepherdstown, he was soon followed after his settlement there by a number of persons, to whom he sold various tracts, some of whose descendants retain possession of those first purchases to the present time. In 1734 Robert Harper settled at the junction of the two rivers, Potomac and Shenandoah, and established a ferry, which he ran for many years, and to which picturesque locality he has left his name. Thomas Shepherd also came about this time, and, obtaining possession of the German settlement, Mecklenburg, re-christened it after himself, Shepherdstown, but the village was not organized by law till 1762. Also came about this time to the same vicinity William Strobe, Israel Friend, Thomas and William Forrester, Thomas and Van Swearingen, Edward Lucas, James Foreman, John Lemon, Jacob Hite (a son of Jost Hite), Richard Mercer, Thomas Rutherford, Edward Mercer, Jacob Vanmeter and a brother, Robert Stockton, Robert Buckles, John and Samuel Taylor, John Wright, and several others whose names cannot now be recalled.

Col. Robert Carter, afterward known as "King Carter," of Stafford, in 1730 obtained from Gov. Gooch a grant of sixty-three thousand acres of land running from just below the forks of the Shenandoah along that river for about twenty miles, but for many years this immense tract of valuable land contained upon it not one actual settler, it being farmed, or at least attended to, by overseers and slaves of the Colonel, who was an exceedingly rich man, being possessed of much other property.

The fine plantation known as Long Meadows was opened about 1740 by one of Jost Hite's sons, Isaac, and about the same time John Lindsay and James Lindsay settled at Long Marsh between Berryville and the Bullskin. In 1743 two or three persons came in from New Jersey, among whom was Isaac Larue, who also settled on the Marsh, and at the same time came Christopher Beeler, who located not far from Larue. The following year Joseph Hampton and two sons came from the eastern shore of Maryland and began a settlement on Buck Marsh, near where now stands Berryville. There is a tradition among the older residents of Clarke County that Hampton and his sons lived the first season of their residence in the hol-

low of a large sycamore tree, which tree was pointed out for many years afterward, but has now entirely disappeared. Joseph Carter came from Bucks County, Penn., in 1743, and made a settlement about five miles east of Winchester, on the Opequon. A fine spring was near where Carter settled and it was a favorite camping ground of the Indians. William and John Vestall made a settlement at a very early date about six miles east of Charlestown. While they were building a stone house they were attacked by Indians and driven across the Shenandoah to the mountain. When they returned one of them brought a yellowish stone from across the river, which marks the point where they had left off building in consequence of the attack. This house still stands, but the inscription on one end has been partially obliterated, which has given rise to a dispute as to the name being Vest, Vesta or Vestal. The author, however, has found in the "List of Surveys made by George Washington for Lord Fairfax" the name three times occurring, *Vestall*.

Most of the settlements along the Bullskin Creek, and at, and above the head of that stream, were made not earlier than about 1760, among the first being the Allemongs and Rileys. Later still, Ralph Wormly purchased a grant of thirteen thousand acres of land immediately adjoining "King" Carter's domain, for which he paid only five hundred guineas. This tract was sold at auction in Williamsburg, and Col. Washington, who had surveyed the land and knew its value, advised Wormly to purchase it. This splendid tract of land, which included some of the finest acres of Jefferson, passed from the possession of the Wormlys many years ago. A great deal of the best land of the entire Lower Shenandoah Valley remained untouched, the settlers preferring the larger streams and locating near the mountains. Among the earliest settlers of this region at the time of the organization of Frederick County, appear the following names, in addition to those already given: The Russells, Whites, Blackburns, Newells, Frys, Wilsons, Hoges, Allens, Glasses, Calmes, Kerfoots, Helmes, Vances, Porteus, Steermans, Newports, Johnstons, Burdens, McMachons, Harts, Penningtons, McCrachans, etc. These names comprise several nationalities: Germans, Irish, Scotch, Welsh and English. In addition to these a colony of Baptists, consisting of fifteen families, came from New Jersey in 1742 and located in the vicinity of where now is Gerrardstown, in Berkeley County, the settlement taking its name from a Baptist minister, Rev. John Gerrard, who formed the



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first Baptist organization in the valley, the society shortly afterward building their first church.

As heretofore stated a number of persons had obtained grants of land from the governor and the colonial legislature before Fairfax discovered that he might claim all the territory beyond the Blue Ridge west and north of the head of the Rappahannock to the head of the Potomac, or some stream that helped to form that river, and the manner in which he first came to the knowledge that the Potomac *did not* head in the Blue Ridge, is said to be as follows: A hunter named Howard on one of his expeditions crossed the Alleghany Mountains from the valley, and being of an adventurous spirit constructed a canoe and went down the Ohio River, where he was made prisoner by the French and sent to France, whereupon, being released, he made his way to England and came to the knowledge of Lord Fairfax, to whom the hunter described the splendid country between the two great chains of mountains. His lordship then made application to the crown for an extension, or rather, a re-limitation of his grant, which was conceded, and he forthwith began selling, or granting away bodies of land already settled upon or held by right of grant from Gov. Gooch. Some of the settlers submitted to the exactions of Fairfax and paid him nominal sums, but sturdy old Jost Hite rebelled against any such high-handed proceeding and refused to pay a ha'penny to the Scotch laird, so the proprietor of the Northern Neck entered a caveat against Hite, which resulted in a suit at law instituted in 1736 by Hite, McKay, Green, and Duff against Lord Fairfax, which cause was only finally settled in 1786, just fifty years after its entrance upon the docket, in favor of the heirs of the plaintiffs, Hite *et als*, the original contestants being all dead. A large sum of money from rents, quit-rents and profits, and considerable land was recovered.

The litigation brought about by Fairfax retarded to a very large degree the early settlement of the lower valley, for immigrants from other colonies who wished to settle here, upon finding the state of affairs, moved farther up the valley on to the grant of Lord Beverly, which comprised Augusta County. This is the reason why the upper valley was more thickly populated at an early day than the Lower Shenandoah Valley.

As a matter of interest and for the better preservation of the names of some of the earliest settlers of this portion of the valley, the follow-

ing field notes of George Washington, who surveyed much of the land belonging to Lord Fairfax in the Northern Neck, are herein printed. These field notes of his surveys of a large number of tracts of land are copied from one of Washington's "field books," entitled, "A Journal of my Journey over the Mountains, began Friday, the 11th of March, 1747-8." The list contains only those surveys within the bounds laid out by this work, with a few exceptions, and many of the names will be very familiar to the residents of this region. It will be seen the list is arranged alphabetically, and the names of those who acted as markers, chain-carriers, and assistants are given. Of course the annexed surveys are not all that Washington made in this section, but they are, possibly, all that are now known to exist. The G. W. Fairfax mentioned in the surveys was George William Fairfax, son of William Fairfax, of Belvoir on the Potomac nearly opposite Mount Vernon. G. W. Fairfax and G. Washington were about the same age, and both were employed by Lord Fairfax to survey a portion of his immense estate. Following is the list:

John Anderson, a tract of land surveyed for on Long Marsh, adjoining John Vance's land, October 19, 1750. He assisted as chain man in survey of two several tracts of land for Isaac Foster, October 22, 1750. Anderson's land adjoined Robert Fox's.

Jonathan Arnold, a tract of land surveyed for on N. River of Cacapon, April 20, 1750. His land adjoined that of David Wood's. He acted as marker in the survey. April 21, in survey of land for Robert Lindsay he was the marker.

Capt. Thomas Ashby kept a house of entertainment and a ferry on the Shenandoah River, above Burwell's Island, 1748. It is presumed that from him came the name of Ashby's Gap in the Blue Ridge.

Henry Ashby served as chain man, in survey of land, for G. W. Fairfax on Long Marsh March 15, 1748. March 29 he assisted as chain man in survey of land on the south fork of south branch for Michael Stump.

Robert Ashby assisted as marker in survey for G. W. Fairfax on Long Marsh March 15, 1748. Had survey made of a tract of land for himself adjoining Carter's line, and the Fairfax road of 346 acres October 27, 1750. He served as marker. His land adjoined lands of Robert Fox.

William Baker, a tract of land on Lost River of Cacapon, surveyed for November 10, 1749. His land adjoined lands of Barnaby McHandry.

Col. ——— Blackburn owned land and lived on Long Marsh, Frederick County, adjoining lands of William Johnston before March 15, 1748. His lines cited in surveys of this date.

Henry ~~Bradshaw~~ had lands on Bullskin adjoining lands of Lawrence Washington, August 24, 1750. Lines referred to in said survey.

Capt. Marquis Calmes, a tract of land on south side of Bullskin, surveyed for November 3, 1750, he himself serving as marker in this survey of 1,170 acres.

Maj. Andrew Campbell, one of the justices of Frederick County, owned land and resided about twenty-five miles northwest of Winchester, on the road to Old Town, in Maryland. George Washington and G. W. Fairfax stopped with him over night, March 17, 1748.

Jacob Camperlin, mentioned in connection with the survey of a tract of land for Hannah Southerd October 29, 1750, which adjoined lands of G. W. Fairfax, Robert Ashby and Widow Jump.

Peter Camperlin, referred to as the late, whose widow, Hannah Southerd, for whom a survey of land was made October 29, 1750, had resided there.

Samuel Camperlin, mentioned in the notes of the survey of land for Hannah Southerd October 29, 1750, was resident and owner of land.

Francis Carney served as a marker in a survey of land for Capt. George Neavil, adjoining Morrison's patent, October 30, 1750, on Long Marsh.

Thomas Carney served as chain carrier in survey for Maj. Lawrence Washington on Bullskin, August 24 and 25, 1750.

Richard Carter owned large tracts on Long Marsh, adjoining Samuel Isaacs and John Anderson's, October 19, 1750.

John Collins had settled on land in the vicinity of Moorefield before 1748. Washington and G. W. Fairfax staid over night with him April 9, 1748, *en route* homeward from South Branch surveys. Collinsville, in Frederick County, possibly perpetuates the name of this pioneer family.

Thomas Colston owned land on Long Marsh near Fairfax County road October 19, 1750. His lands adjoined Isabelle Jump's and John Vance's.

John Cozin, or Cuzin, owned land and resided on Long Marsh in March, 1748. His house referred to in survey of land for Thomas Lofton October 17, 1750, and in which survey he was a chain carrier. And October 18, 1750, chain man in survey for G. Smith. And same

day marker in a survey of tract for himself which adjoined Smith's and Lofton's land.

William Crawford, chain man in survey of land for Richard Stephenson, and William Davis on Bullskin, August 20, 1750. August 21, 1750, chain man in survey for Lawrence Washington. August 24 and 25 chain carrier for same parties. October 19 served as chain carrier in survey for John Vance. Was this person the same as Col. William Crawford of the Revolution? [It undoubtedly was, as he was born and raised in what was then Frederick County.]—Ed.

Col. Thomas Cresap of Old Town, Md., visited by Washington *en route* to Patterson Creek, while surveying for Lord Fairfax, March 21, 1748. Owing to a storm he was delayed several days at Cresap's, where he met a party of thirty Indians returning from war in the South with one scalp.

Ralph Croft was chain carrier in survey of a tract of land for John Anderson, October 19, 1750. He was also chain carrier in survey of land for Isaac Foster, October 22, 1750.

(Daugherty) Nathaniel Daugherty owned land on Long Marsh. His corner is mentioned in survey for Patrick Rice, October 23, 1750.

William Davis, lands surveyed for, and Richard Stephenson, on a branch of the Bullskin, August 20, 1750, adjoined the lands of Lawrence Washington.

G. W. Fairfax owned lands on Long Marsh. Adjoined lands of Pennington, Johnston and John Cozens, 1748. March 15, 1748, had surveyed for 3,023 acres on Long Marsh.

Thomas Lord Fairfax, baron of Cameron, the proprietary owner of the Northern Neck, estimated to contain 5,700,000 acres, reserved 10,000 acres in his manor of "Greenway Court," about twelve miles southeast of Winchester. Sold his lands, giving fixed time, on a small annual ground rent.

Isaac Foster served as chain carrier October 19, 1750, in survey for John Anderson. His land adjoined that of John Vance's. October 22, 1750, had surveyed a tract of land for himself adjoining John Anderson and John Vance.

Robert Fox, a tract of land surveyed for of 1,216 acres, October 29, 1750, which adjoined Robert Ashby's, in Carter's line. He served as marker himself.

James Genn, one of the licensed surveyors in 1748, of Frederick County.

George Hampton was chain carrier in survey of a tract of land for Isabella Jump October 19, 1750, on Long Marsh.

Joseph Hampton, marker in survey of a tract of land on Long Marsh for Isabella Jump, October 19, 1750.

Richard Hampton served as chain carrier in survey of land for Capt. George Neavil, October 30, 1750, which land adjoined Morrison's patent.

Thomas Hampton, chain carrier in survey of a tract of land for John Vance, on Long Marsh, October 19, 1750; chain man in survey of land for John Madden, October 24, 1750, and October 30, chain carrier in survey of a tract of land for Capt. George Neavil.

Henry Harris owned a tract of land, where he resided, near the Manor Line, 1748, adjoining the lands of Widow Wolf, Frederick County.

Joshua Haynes owned lands on Bullskin and adjoining lands of Capt. George Johnston August 28, 1750, and was marker in survey of lands for Capt. George Johnston.

Solomon Hedges had settled on Patterson Creek, some forty miles from its mouth. He was one of the justices of the peace for Frederick County. Washington and Fairfax camped there March 26, 1748. He had neither knives nor forks on his table at supper.

Henry Hendricks, chain man in survey of Isaac Pennington's patent, October 23, 1750, and waste land adjoining.

Captain — Hite had settled on land near Winchester. Washington left his baggage there while he went to different places to prosecute his surveys. March 14, 1748.

George Horner laid warrant for 200 acres of land in Frederick County in 1748.

Joseph Howt (from New England, possibly it is the same person given as James How) had warrant (1748) for 400 acres of land in Frederick County.

Samuel Isaac, a tract of land surveyed for on Long Marsh October 22, 1750. His land adjoined those of Isaac Pennington. October 24, 1750, was marker in survey for Jeremiah Wood, whose land adjoined his own.

"Joe's Hole," a name given to a place of some local note, is mentioned in survey of a tract of land for John Madden October 24, 1750, on Long Marsh.

John Johnson, chain carrier in survey of land for Capt. George Johnstone on Bullskin August 28, 1750.

Abram Johnstone owned land and resided on Patterson Creek, fifteen miles from its mouth, March 25, 1748.

Capt. George Johnston, a tract of land surveyed for on south side of Bullskin August 28, 1750. Adjoined lands of G. W. Fairfax and Robert Ashby.

Thomas Johnston owned lands on Long Marsh adjoining G. W. Fairfax's lands March, 1748. Line referred to in survey of Thomas Lofton.

William Johnston owned lands on Long Marsh. Joined lands of Col. Blackstone, 1758.

Thomas Jones, chain carrier in survey of land for Capt. George Johnstone on Bullskin August 28, 1750.

Isabella Jump, widow, a tract of land surveyed for on Long Marsh October 19, 1750. near the Fairfax County road. Adjoins lands of Hannah Southerd.

John Keith, chain carrier in survey of land for Henry Enoch April 23, 1750, and on the same day was chain man in survey of land for John Newton.

T. Keys had settled and owned lands adjoining lands of Lawrence Washington in 1750. His line mentioned in survey of L. Washington's survey August 24 and 25, 1750.

Samuel Kinsman laid warrant in Frederick County for 400 acres, 1748.

James Kinson laid warrant on Lost River for 400 acres of land, 1748.

John Lindsey, marker in survey of land for John Madden, October 24, 1750, on Long Marsh.

Thomas Lofton, a tract of land surveyed for on Bullskin, October 17, 1750. He served as marker October 18, 1750; acted as chain carrier in survey for G. Smith, on Long Marsh.

Thomas Lofton, Jr., carried chain in survey of land for John Cosine on the Long Marsh, October 18, 1750.

Timothy McCarty, chain carrier in survey for Lawrence Washington on Bullskin August 26, 1750.

Thomas McClahan, chairman in survey of land for Jeremiah Wood on the Long Marsh, October 24, 1750.

Dr. James McCormick patented land on Bullskin, adjoined Capt. George Johnstone's August 28, 1750. His line mentioned in the survey of Capt. Marquis Calmes, November 3, 1750, in whose survey he acted as chain carrier.

Darby McKeaver, Sr., laid warrant for 400 acres of land in Frederick County, 1748. April 10, 1750, had survey of tract on Cacapon in Frederick County surveyed 412½ acres. Same day surveyed waste land between Darby McKeaver and son divided between them.

Daniel McKleduff, marker in survey of land on branch of Bullskin August 20, 1750, for Richard Stephenson and William Davis. Marker in survey for Maj. Lawrence Washington August 21 to 23, 1750.

John Madden, a tract of land surveyed for at "Joe's Hole" on Long Marsh, near the Fairfax road, October 24, 1750.

Patrick Matthews had taken up land on south side of Bullskin adjoining survey of Capt. George Johnstone before August 28, 1750, when his line was referred to.

John Miller, marker in survey for John Anderson on Long Marsh October 19, 1750, and marker in survey October 22, for Isaac Foster, and same day marker in survey for Samuel Isaac.

— Morris's patent adjoined lands of Maj. Lawrence Washington, as determined by survey to both August 22 to 23, 1750. Also mention is made of Morris's patent in survey of Capt. George Neavil, October 30, 1750.

Edward Musgrove, a tract of land surveyed for on Shenandoah, August 16, 1750. Adjoins lands of William Vestall.

John Musgrove, marker in survey of land for Edward Musgrove on Shenandoah River, August 16, 1750, and which adjoined his own patented lands.

Ned Musgrove, marker in survey of lands for Edward Musgrove, August 16, 1750.

Capt. George Neavil, a tract of land surveyed for on Long Marsh adjoining Morris's patent, north side of Fairfax road, October 30, 1750.

Capt. Isaac Pennington* had procured land about sixteen miles below Winchester on Bullskin before 1748. George Washington lodged with him the first night he was out as a surveyor in the valley. His lines mentioned in survey of lands for Thomas Lofton, October 17, 1750. A tract of land surveyed for adjoining his own patent on Long Marsh, October 23, 1750. He served as his own marker of the line.

Andrew Pitts, patent for land on Bullskin, August 20, 1750, adjoins the survey of Richard Stephenson and William Davis, August

*The first deed on record in the valley of Virginia is from Pennington to a man named Beeler.—
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20, 1750, and is also referred to in surveys of Maj. Lawrence Washington, August 21 and 23, 1750.

Charles Polk, supposed to have resided in the vicinity of Williamsport in Maryland, had land under cultivation in 1748. George Washington and G. W. Fairfax stopped with him March 20, 1748.

Hugh Rankon, chain man in survey of land on Bullskin for Maj. Lawrence Washington, August 26, 1750.

Patrick Rice, a tract of land surveyed for on north side of Long Marsh, October 23, 1750. He served as marker on the line.

Capt. Thomas Rutherford had settled upon lands on the Bullskin, adjoining surveys of Maj. Lawrence Washington, August 24 and 25, 1750.

Ruben Rutherford served as chain carrier in survey of lands on Shenandoah for Edward Musgrove, August 16, 1750.

James Rutledge, horse jockey, had taken up land on South Branch, about seventy miles above its mouth. George Washington and G. W. Fairfax stopped with him over night, March 28, 1748.

Stephen Sebastian, chain man in survey of land for Isabella Jump on Long Marsh, October 19, 1750.

John Sheely, chain carrier in survey of land for Hannah Southerd, October 29, 1750, and chain man in survey of land for Robert Fox on the same day.

Walter Sherley had lands on the Bullskin adjoining lands of Maj. Lawrence Washington, August 24 and 25, 1750. His line mention in this survey.

George Smith, chain carrier in survey of land for Thomas Lofton, on Long Marsh, October 17, 1750. He also owned land, as his line is referred to in survey of John Cozins, October 18, 1750, and in whose survey he was marker. A tract surveyed for himself October 18, 1750, on Long Marsh.

Hannah Southerd a tract of land surveyed for on Long Marsh, October 29, 1750. Her lands adjoined those of Robert Ashby and Widow Jump.

Stephen Southerd, chain carrier in survey of land for Robert Ashby on Long Marsh, October 27, 1750, and marker in survey for Hannah Southerd, October 29, 1750.

Richard Stephenson, a tract of land surveyed for him and William Davis on the north branch of Bullskin, August 20, 1750. His land adjoined that of Maj. Lawrence Washington.

Richard Taylor, chain man in survey on Long Marsh for Maj. L. Washington, March 14 and 15, 1748. March 29, 1748, chain carrier in survey of land for Michael Stump, on south branch.

Robert Taylor, chain carrier in survey of land for George W. Fairfax, on Long Marsh, March 15 and 16, 1748, of 3,023 acres.

Lewis Thomas, chain man in survey of land on Bullskin for Richard Stephenson and William Davis, August 20, 1750. And again chain carrier in survey for Maj. Lewis Washington, August 21 and 22, 1750.

Nathaniel Thomas had taken up lands on the Bullskin, adjoining lands of Maj. Lewis Washington on Bullskin, August 24 and 25, 1750. His lines referred to in survey.

Owen Thomas, marker in survey of land for G. Smith on Long Marsh, October 18, 1750.

John Urton, chain carrier in survey of land for Isaac Pennington on Long Marsh, October 23, 1750, and same day in survey for Patrick Rice. October 27, 1750, chain bearer in survey for Robert Ashby, and 29th chain carrier in survey of land for Hannah Southerd, and same day in survey for Robert Fox.

Alexander Vance, marker in survey for John Vance, for land on Long Marsh, October 19, 1750.

John Vance, a tract of land on Long Marsh, surveyed October 19, 1750. His land adjoins that of John Anderson and also that of Isaac Foster.

Henry Vanmeter had taken up land on the south branch before 1748, and resided there when George Washington was making these surveys, April 6, 1758.

John Vestall had settled upon lands on the Shenandoah before 1750—his line is cited in survey for Mr. Edward Musgrove, August 16, 1750, for whom he served as chain carrier.

William Vestall* had settled upon lands on the Shenandoah prior to 1750. His line is referred to in survey of land for Edward Musgrove, August 16, 1750.

Samuel Waker [Walker] resided upon patented land on the Bullskin; his line is referred to in survey for Maj. Lawrence Washington, August 21 and 24, 1750. Was this the person whose name has been given to a creek in Augusta County?

Maj. Lawrence Washington, a tract of land surveyed for on the

* On Vestall's land on the river, six or eight miles from Charlestown, was erected the first iron works west of the Blue Ridge, in 1732. The ruins of the "Old Bloomery" are still to be seen.—EDITOR.

Bullskin, August 21 to 23. These lands adjoining lands of Mr. Worthington, Mr. Davis and Gershom Keys, August 24 and 25; a farther survey for on the Bullskin, which adjoined Robert Worthington's patent—and the lands of Henry Bradshaw, August 26, 1750, surveyed for the vacancy between Worthington's lines near Smith's Glade.

William Wiggons, marker in survey of land for Thomas Wiggons, April 24, 1750, and same day served as chain bearer in survey of land for Isaac Dawson.

Jeremiah Wood, chain carrier in survey of land for John Madden on Long Marsh, October 24, 1750. The same day had a survey of a tract for himself adjoining Carter's line, and also Samuel Isaac's.

Robert Worthington resided on patented lands on the Bullskin. His land adjoined and is referred to in survey for Maj. Lawrence Washington, August 21 to 23, 1750. He was marker in this survey for L. Washington, August 26, 1750. Served as chain carrier in survey of land for Capt. Marquis Calmes, November 3, 1750.

CHAPTER V.

ORGANIZATION OF FREDERICK COUNTY.

APPOINTMENT OF OFFICERS—FIRST COURT IN 1743—JAIL, PILLORY, STOCKS, AND WHIPPING POST—ORDINARIES LICENSED—FIRST ARREST—KING'S ATTORNEY—A PRIMITIVE MINISTER—LIST OF PRICES FOR TAVERN KEEPERS—SEVERE SENTENCES—FIRST GRAND JURY AND PRESENTMENTS—DUNCAN OGULLION—THE FIRST DEED—SOME EARLY LAND TRANSFERS—VESTAL'S IRON WORKS—FIRST COUNTY LEVY—INJUSTICE AND INHUMANITY—ARRIVAL OF LORD FAIRFAX—FIRST COURT HOUSE—LIST OF EARLY ROADS.

FOR several years after the erection of Frederick County by act of the General Assembly in November, 1738, there was not sufficient population in all the vast section comprising at that time Shenandoah, a portion of Page, Warren, Frederick, Clark, Berkeley, Jefferson and Morgan Counties, and all the territory due west of them, to justify the appointment of county officers and the setting in motion of the wheels of government for the valley district as a separate institu-

tion, but in 1743 settlements had so rapidly increased that the petitions of the leading men were granted. October 2, 1743, "His Excellency, William Gooch, Esq., Lieutenant-Governor and Commander-in-Chief of the forces of the Colony and Province of Virginia, by the grace of His Most Gracious Majesty, Our Sovereign Lord, George II., King, Defender of the Faith, &c.," issued commissions as justices of the peace to "our trusty and well-beloved" Morgan Morgan, Benjamin Borden, Thomas Chester, David Vance, Andrew Campbell, Marquis Calmes, Thomas Rutherford, Lewis Neil, William McMachen, Meredith Helms, George Hoge, John White, and Thomas Little, gentlemen, accompanied by a *dedimus* for the administering of the oath of office to the appointees. On November 11, 1743, the gentlemen named having been notified of their appointment met for the purpose of organizing a court, but just where they met is not now definitely known, but it is supposed that it was at the house of James Wood, just west of the western limits of the now central portion of Winchester, for Wood's land at that time took in a portion of the spot whereon now stands the town named, running, in fact, to the west line of Cameron Street. Having met, Morgan Morgan and David Vance administered the oath to the others named in the commission, who having taken their seats as justices for Frederick County, appointed James Wood clerk of the court and Thomas Rutherford high sheriff. George Home was appointed surveyor. At this first court appeared James Porteus, John Steerman, George Johnston and John Newport, who desired the privilege of being booked as attorneys, and who upon taking the oath as such, were granted the use of the court house to attend to the legal wants of prospective clients.

The next business of the court was to admit to probate the will of Bryant McNamee, deceased. Letters of administration were granted to Elizabeth Seamon, on the estate of her husband, Jonathan Seamon, deceased; Morgan Morgan, gent., John Smith, John Hampton and Robert Worthington were appointed to appraise the money value of Seamon's estate. The clerk was ordered to provide record books and be paid at the laying of the next levy. Also, that the clerk agree with some person to fetch the law books from the house of Mr. Parks, for the use of the justices; and that the constables and overseers then serving as officers of Orange County within the limits of Frederick County, be retained until the next court.

It was "ordered that the Sheriff build a twelve foot square log

house, logg'd above and below, to secure his prisoners, he agreeing to be satisfied with what shall be allowed him for such building by two of the court, and he not to be responsible for escapes."

At the next court held December 9, same year, present Morgan Morgan, David Vance, William McMachen, and George Hoge, a petition for a road was made by John Wilcox and others, to run "from John Funk's mill to Chester's ferry and from thence to where the road takes out of Chester's road to Manases' Run." Ordered that Thomas Chester, gent., John Wilcox and Jacob Funk, view, mark and lay off the said road, and make return of their proceedings at next court.

James Porteus was empowered to act as King's attorney until the pleasure of the governor could be known. Marquis Calmes and William McMachen were ordered to agree with workmen for erecting a pillory, stocks and whipping-post, and make a return of their proceedings at the next court. John Kersey was permitted to open a ferry at his place on the Sherrandoe River. Thomas Chester having been appointed coroner by Gov. Gooch, took the oath of office. A road was ordered to be laid out from John Frost's mill to several plantations.

The first mention of a tavern in this section occurs at this second court, when Patrick Ryley petitions for a license to keep an "ordinary," which was granted to that evidently Hibernian gentleman, after payment of the governor's fees and obtaining John Smith as his bondsman, presumably for the good conduct of the proprietor of the hostelry. Several others obtained licenses for "ordinaries" at the same time, among whom were Thomas Hart and Lewis Neill. And even Capt. Andrew Campbell and Morgan Morgan, gent., did not disdain to endeavor to turn an honest penny by affording accommodations to the traveling public, and in dispensing liquid aliment to their thirsty neighbors and the tired wayfarer, as those two primitive worthies also obtained licenses from themselves and associates to keep ordinaries. At that early day when there were in this valley, at least, literally no towns nor even villages, it was necessary for almost every householder to keep some sort of accommodations for the public, and as it would have been a burden upon many of the settlers to have kept a traveler without cost, he would have to charge, but he could not do that without making himself amenable to the law; so, many of them took out licenses which permitted them to sell liquors as well as to provide food and lodging.

John Upton was sworn in as a constable, and Robert Worthington

and George Thurston were continued in office, they having been constables under the Orange County organization. Stephen Hotsenbell was appointed constable for Capt. John Hite's precinct; Thomas Gray for Capt. Denton's; Thomas Babb between Capt. Hite's and Capt. Lewis', and George Bounds for Capt. Chester's. William Flintham was sworn in as a deputy sheriff. The first man arrested and held in durance vile, after the organization, was James Brumiadgeham, charged with stealing two bells from George Wright, but upon examination the prisoner was found not guilty and released.

On Friday, January 13, the ensuing month, at a meeting of the court, five more lawyers placed themselves on the roll of attorneys for Frederick County, they being William Russell, John Quin, Gabriel Jones, William Jolliffe and Michael Ryan. Benjamin and Robert Rutherford were sworn in as deputy sheriffs. William Hoge obtained license to keep an ordinary. John Doones took out a peddler's license, and it is supposed that he did a thriving trade, as there were as yet no store or other places where goods could be bought in the entire valley of Virginia. Most of the supplies of the settlers were obtained from Fredericksburg, Alexandria and Pennsylvania. The county surveyor, G. Home or Hume, was ordered to run the dividing line between Frederick and Augusta. A road was ordered to be laid out from Hampton's mill to the Great Cape Capon, and another from Howell's Ford to Ashby's Bent Gap. John Julian, George Bounds, James Burne and Gershom Woodall, were made constables. Among the proceedings of this third court, in a suit for debt against James Finla, occurs a name for the first time mentioned in the records of this section. Thomas *McGyer* sues James Finla for a sum of money. The old scribe or clerk first writes it as just given; he afterward spells it *McGuier*, and then *McGuire*, as at present.

The next court was held February 11, 1743-4.* Gabriel Jones, one of the attorneys admitted at a previous session of the court, was recommended by the justices to the governor as a suitable person for King's attorney. First case of assault and battery on record: Doones *vs.* Samuel Isaacs.

March 9, 1743-4, Henry Munday was admitted to the practice of law, he making the tenth of that profession to be allowed the privilege at the bar of Frederick. Two servants (white), one in the employ of

* The Old Style, or Julian system, of chronology was still in use, although it was gradually dying out. It was abolished by the King and Parliament in 1752. The Old Style counted the year up to March 21, hence writers of the time were in the habit of putting it as above (1743-4) to prevent misunderstanding.

Marquis Calmes, named Richard Mapper, and the other employed by Andrew Campbell, and named Thomas Drummond, absented themselves from their usual work for twenty-one days. They were arrested, brought before the court and sentenced to serve nine months longer than the time for which they were indentured. A road was laid off from John Shepard's to the head of the Bullskin, and another was laid out from Robinson's Gap to Vestal's Gap.

The first mention of a minister of religion in the records occurs at this court where two negroes, a boy named Jacob, and a girl named Micey, are adjudged to be fifteen years of age toward paying off the levy. The negroes are stated to be the property of Rev. William Williams. To what denomination this pioneer worker in the vineyard of the Lord belonged is not stated, and where his church, chapel or meeting house was located is also in the forgotten past.

As a matter of interest and for preservation, and as showing the manners and customs of our forefathers, the following schedule of prices is copied entire from the proceedings of the March court:

Prices for Ordinary-Keepers.—Pursuant to law the following rates and prices are set and allowed by this court upon liquors, etc., that ordinary-keepers in this county shall entertain and sell at, to-wit:

	£	s.	d.
Barbadoes Rum, per gallon.....	..	6	..
Rye Brandy .....	..	5	..
Rum Punch or Fiz, the quart, with 3 gills and white sugar .....	..	1	..
Rye Brandy Punch or Fiz, the quart, with 3 gills and brown sugar.....	..	..	9
Rum Punch or Fiz, the pint, with 1½ gills and white sugar .....	..	..	6
Rye Brandy Punch or Fiz, the pint, with 1½ gills and brown sugar. ....	..	..	4½
Beer, per quart.....	..	..	4
Cider, per quart.....	..	..	4
Madeira Wine, per quart.....	..	2	..
Claret, per quart bottle.....	..	4	..
French Brandy, per gallon .....	..	16	..
French Brandy Punch, per quart.....	..	2	6
Hot Diet.....	..	..	6
Cold Diet.....	..	..	4
Lodging, with clean sheets.....	..	..	3
Stableage, with fodder or hay per night.....	..	..	4
Pasturage.....	..	..	4
Indian Corn, per gallon.....	..	..	4
Oats.....	..	..	4

Ordered, that the several ordinary-keepers in this county sell and

retail liquors at the above rates, and that they presume not to sell at any other rates, and that if any person do not pay immediately for what he has that he pay for the same at the fall in tobacco at 10 shillings per cwt.

At the session of the court next day, March 10, it was ordered that the clerk, Col. James Wood, write to Mr. Robert Jackson, merchant, Fredericksburg, to procure from England sets of standard weights and measures for the use of the colony.

April 14, 1744, a white servant named John Lightfoot, who absented himself from his master's service three months, was sentenced by the justices to serve four years and seven months additional after his indentured term should expire, and to pay all costs.

Michael Ryan, one of the ten attorneys lately admitted to practice, was brought before the court and sentenced to two months silence at the bar of Frederick County for being drunk, which shows that intemperance, even among the dignified legal fraternity, is not such an excessively modern invention as might be supposed. A "press" was ordered to be made to hold the records of the county.

May 11, 1744, the first grand jury was impaneled, consisting of John Hardin, foreman, Robert Allan, George Hobson, James Vance, John Willcocks, Peter Woolf, Isaac Pennington, David Logan, Robert Worth, Joshua Hedges, Robert Willson, Samuel Morris, Hugh Parrell, James Hoge, Jacob Niswanger, Charles McDowell, Morgan Bryant and Colvert Anderson.

A number of presentments were made against various violators of the law, among which were bills against Robert Craft, James Findlay, Samuel Shinn and Cutbud Harrison, for selling liquor without a license, and one against John Graham, for perjury. And even old Noah Hampton, who had a mill over toward the Blue Ridge, somewhere, was presented by one of his irate customers for taking a larger amount of toll from the grain intrusted to him for grinding, than the law allowed. A man named James Burne, a constable, was presented for swearing and being a disturber of the peace, instead of being a conservator thereof, as he should have been, but the officers of the law seem to have been as frequent violators of it, as the common herd.

Jonathan Curtis was presented on information laid by Andrew Campbell, gent., one of his Majesty's justices of the peace, for breaking the Sabbath by plowing on Sunday, but Curtis got back on

to the old informer by laying information against Campbell for getting drunk and swearing two oaths. At a succeeding term of the court they mutually withdrew their charges, at least the cases were dismissed.

And now, most fearful and scandalous of all those old cases is one in which an afterward noted man was principal: The dignified Col. James Wood, clerk of the court and founder of Winchester, was presented for getting drunk and swearing two oaths!

On May 12, same year as above, the following persons were appointed to take a list of the tithables: Thomas Chester, David Vance, William McMachen, Andrew Campbell, Morgan Morgan, Lewis Neill, Marquis Calmes, Meredith Helms, John Lindsay and Jacob Hite.

June 8, Duncan Ogullion was granted a license to keep an ordinary. Ogullion is thought to have lived either upon or near the spot whereon now stands Winchester, and if so he has the honor of having kept the first taven in that ancient town. He also, was awarded the contract for building the gaol by Sheriff Rutherford, as will be seen. Ogullion also, had the misfortune a year or two after building his primitive Bastile, of being himself incarcerated therein for debt. A bridle road was ordered to be laid out "from Scott's mill on the Shanando River to the court house of this county."

The first mention of any religious edifice in Frederick County up to the session of the court June 8, 1744, occurred in reference to laying out a road, which stipulates that it be run "from the chapel to Jay's Ferry." Where this chapel stood is not stated, but it was possibly on the spot where now stands the Mill Creek Episcopal Church, or it may have been the old Norborne Church, the picturesque ruins of which may be seen on the lands of Col. H. B. Davenport, near Charlestown.

The annexed case, copied from the minutes of the court held July 16, 1744, is given to show the extreme injustice of those ancient times. A servant named Edmond Welsh having absented himself from the service of his master *six days* was brought before the court and sentenced to serve the same master *seven months and twenty-three days* additional to his term of indenture and *pay all costs* of the suit. These indentured servants were white persons who, through debt, petty violations of the law, poverty and other misfortunes, placed themselves, or were placed by the courts, at the mercy of any one who would purchase their time. Once indentured, however, it was ex-



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tremely difficult for the unfortunates to gain release. Petty charges were brought against them, by means of which, as in the above case, the merciless master was enabled to keep them for years in a state of absolute slavery, and not infrequently were they retained for the entire term of their natural lives. Truly our old colonial ancestors were a set of unmitigated tyrants. But the day of redemption was fast approaching, for there was a boy at that time twelve years old living upon a farm in Eastern Virginia who was to rise up and lead the armies of his countrymen to victory over kings and the ways of kings.

The first deed placed upon the records of Frederick County was one from Abraham Penington to Christopher Beeler, of 500 acres of land "on the west side of the Shenandoe River, a portion of a grant obtained by Penington in 1734." Beeler paid £90 current money of Virginia for his farm.

Benjamin Borden, Sr., sold to his son Benjamin a tract of land, a portion of a grant obtained in 1734 by Borden, Andrew Hampton and David Griffith. The tract was called "Bullskin" and was located "on the west side of the Sheando River, commencing at a sycamore tree on the Bullskin Run." Borden, Jr., paid for his land £50.

On January 7, 1743-4 (O. S.), Richard Beeson, Sr., transferred to Richard Beeson, Jr., for £20 "one certain piece, parcel or tract of land on the west side of Opeckan Creek, and on a branch of the said creek called Tuscarora," being a portion of a tract obtained in 1735 by George Robinson and John Petite and sold to Richard Beeson, Sr., in 1737. Beeson, Sr., also conveyed to his sons Benjamin and Edward tracts of land for £20 each; also a tract to Mordecai Mendenhall, in the same locality, on the Tuscarora. Jost Hite about this time sold a tract of 100 acres to Richard Stinson, being a portion of the grant Hite bought from Vanmeter.

January 11, 1743-4, Morgan Bryan transferred 1,020 acres of land on the head of Tully's branch, near the mountains, to Joshua Hedges. This is the original Hedges of the present county of Berkeley, and after whom the town of Hedgesville was named. This deed was witnessed by Andrew Campbell, Job Curtis and Jonas Hedges. January 31 John Littler, "of the Opeckon, sold body of land on Yorkshireman's branch" to Thomas Rees; Littler also sold body of land to Henry Bowen at the head of Yorkshireman's branch. Morgan Bryan sold parcel of land to Roger Turner on Tully's branch. On

the 1st of March Charles Baker sold to Samuel Earle "25 acres of land, more or less, on the Cruked run, being part of a grant to Jost Hite, who sold to John Branson, who sold to Baker."

March 9, 1743-4, Thomas Rutherford, high sheriff of Frederick County, who located in that portion of the territory now Jefferson County, W. Va., sold to Marquis Calmes, one of the justices, a large tract of land, upon a portion of which still reside some of the descendants of Calmes. John Mills, of Prince Georges County, Md., sold several tracts of land on Mill branch of the Opequon. They were transferred to his sons, and to Jonathan Harrold, William Chenoweth and John Beals.

Jost Hite sold in February 200 acres of land to Charles Barnes, and in March Hite sold 360 acres to Joseph Colvin. John Frost sold 300 acres to John Milburn in September.

About this time, the spring of 1744, a number of settlers came in who purchased from Alexander Ross. Among those coming in at this time were George Williams, John Perkins, Jacob Funk, William Tidwell, Charles Barnes, the Millses from Maryland, John Hays, George Hobson, of Hobson's Marsh, Thomas Colston. Andrew Hampton, of Brunswick County, who had obtained a grant from Gov. Gooch, sold several tracts. Also came David Chancey, James Porteus, Enoch Anderson, Patrick Gelaspie, G. Jones, G. Johnstone, Marmad Stanfield, John Richard, Benjamin Fry, Thomas and Robert Wilson, Samuel Fulton, James and Robert Davis, William Russell, Joseph Helms and others.

Richard Morgan who, as has been elsewhere stated, had obtained a large grant of land lying along and adjacent to the Potomac River, sold 210 acres for 110 pounds sterling to Van Swearengen, near where now stands Shepherdstown. It was located along the afterward famous Morgan Spring branch, and the price paid per acre (about \$2.50) was considered very large, when splendid land in some localities could be bought for twenty-five and fifty cents per acre. Josiah Ballenger, James Wright, Robert Worth, J. Denton, Giles Chapman, Ulrich Ruble, Lewis Stephens, Hugh Neill, Charles Bucks, W. Cocks, Hugh Parker and William Trent acquired land at this time. Dunken Ogullion and Patrick Dougherty, two thrifty and adventurous sons of the Emerald Isle, acquired land, and settled near where Winchester now stands, presumably upon a portion of the tract of James Wood, clerk of the court.

At this time, 1744, is to be found recorded in the first Deed Book, a contract that doubtless furnishes the first information in regard to the manufacture of iron in the State of Virginia. The contract was entered into May 10, 1742, but was only recorded two years later. It reads: That Thomas Mayberry agreed to erect a "bloomery for making bar iron on the plantation of William Vestal, lying upon Shunnandore" for William Vestal, John Fraden, Richard Stephenson and Daniel Burnett. This old furnace was undoubtedly one of the first erected in the entire southern country.

In 1745 a number of new names appear in the old, but well-preserved Deed Book, among which are George Hollingsworth, David Black, John Quin, Francis Lilburn, John Hardin, Andrew Cook, Christopher Nation, William Grant, John Cheadle, David Gilkey, Jacob Niswanger, Evan Thomas, John Thomson and William Stroop. These purchased from those who had grants: William Hoge, Israel Friend, Jost Hite, Morgan Morgan and others. Robert Worthington sold to William McKay 435 acres on the Bullskin, in November, 1746, and the same year Thomas and John Branson came into the possession of 600 acres of land by the death of their father, Thomas Branson, in West Jersey. John Vestal bought of Jost Hite 120 acres of land on the Shenandoah River and Cat Tail Run, in 1747. In this same year Nathaniel Cartmell bought of Nathaniel Thomas 200 acres of land at the head of the south branch of the Opequon. Descendants of this old pioneer, Nathaniel Cartmell, are still well known throughout the valley, and one of them, T. K. Cartmell, Esq., has in his keeping the old records from which these facts are gleaned, he being at present (1889) clerk of the court.

November 3, 1747, Maj. Lawrence Washington bought of Samuel Walker "100 acres of land on the west side of Shunnundore River, being a portion of the original grant obtained by Jost Hite." The following year Washington bought 700 acres of Robert Worthington, 320 from Andrew Pitts, and 311 from Jost Hite. These tracts were the foundation of the Washington estate in this valley, some of the original being still in the possession of the descendants of the early owners. The country by this time had begun to assume a thrifty appearance. Extensive farms were being tilled in every direction, mills were being erected, and improvements of all kinds could be noticed going on. For this early period, 1750, the foregoing names will have to suffice, as it would be almost impossible to give the names

of all the settlers who then came in. Those given embrace all the very early noted families, and many of their descendants are yet living on the old homesteads.

The son of Erin, Duncan Ogullion, having finished the jail for the sheriff, Thomas Rutherford, he was paid by order of the justices the sum of £80 for the job, September 8, 1748. The committee to examine the structure and decide upon the price to be paid were James Wood, George Johnston, Lewis Neill and William McMachen.

The first levy for Frederick County was 75,697 pounds of tobacco, payable in that commodity or the current market price thereof in money.

November 13, 1751, George Ross transferred about ten acres of land to Isaac Hollingsworth, Evan Thomas, Jr., and Evan Rogers, for building a Quaker meeting-house.

As heretofore stated Thomas Rutherford was the first sheriff of the county; his bondsmen in the sum of £1,000 were Meredith Helms, John Hardin, Thomas Ashby, Sr., James Seeburn, Robert Ashby, Thomas Ashby, Jr., Peter Woolf and Robert Worthington. The second sheriff was Thomas Chester, 1745; third, Andrew Campbell, 1747; fourth, Jacob Hite, 1749; fifth, Lewis Neill, 1751; sixth, Meredith Helms, 1753. Col. James Wood continued to be clerk for many years.

Before leaving the subject of the old justices' courts a return to the records of 1744 may not be uninteresting, as showing still further the manners, customs and ideas of justice entertained by those old pioneers of our civilization. It must be remembered that these occurrences were at a time when man had not yet grasped the eternal truths, to any appreciable extent, afterward enunciated in the declaration of our revolutionary sires, that all men are created equal. These old expounders of the primitive laws never dreamed of any injustice in their sentences: they simply carried out the enactments of the General Assembly, a body of law-makers which could pass an act so late as 1748, making it "felony without benefit of clergy" for being convicted of hog-stealing the third time. It was not enough to hang the poor culprit, but they must send him straight to hades.

To take the more noted incidents chronologically, the following county levy, laid October 12, 1744, is here given:

	£	s.	d.	Tobacco, lbs.
To James Wood, clerk, for extra services.....				1,248
To James Wood, as per account				2,015
To James Wood, for four record books.....	5	4	0 or	1,664
To James Wood, for bringing up two record books and one law book from Williamsburg.....	0	8	0 or	128
To James Wood, for six Webb's Justices for the use of the county.....	3	5	0 or	1,040
To Mr. Secretary Nelson.....				670
To James Wood, for use of court-house	4	0	0 or	1,280
To Thomas Rutherford, for extra services.....				1,248
To Thomas Rutherford, as per account.....	65	7	8½ or	20,923
To Isaac Parkins, for 526 feet of plank for use of court house.....	0	19	8½ or	315
To Gabriel Jones, as king's attorney.....				2,000
To William McMachen, for sundry services	1	0	0 or	320
To John Bruce, for building the stocks, pillory, etc.....	5	15	0 or	1,840
To John Harrow, for iron work for the stocks. pillory, etc.....	1	0	0 or	320
To James Porteus, for public services.....				1,000
To Andrew Campbell, gent., for payment of three men for going to South Branch concerning Indians	3	0	0 or	960
To Isaac Parkins, as per account.....	2	2	5 or	678½
To James O'Neal	3	15	0 or	1,200
To John Jones, constable.....				211
To James Wood, for standard weights and meas- ures.....	25	0	0 or	5,440
To G. Home, for running dividing line.....	66	18	6 or	24,416
To deposition left in sheriff's hands.....	9	4	1½ or	2,496
				<hr/> 71,412½
To sheriff, for collecting at 6 per cent.....				4,285
				<hr/> 75,697
By 1,283 tithables at 59 lbs. tobacco per poll.....				75,697
				<hr/>

On May 7, 1745, the grand jury made the following presentments: Against Jonathan Curtis for "writing and publishing several things against the church of England." The information was laid by Andrew Campbell, the same who had previously informed upon Curtis for Sabbath breaking, and who had evidently retaliated upon Campbell by having him (Campbell) presented for being drunk and swearing. Campbell is now returning the retaliation.

Rev. William Williams was fined £4 and costs for "joyning in the holy bonds of matrimony several persons, he being no orthodox minister." He was also fined twenty-six shillings for, as the record states,

"behaving indecently before the court." To what denomination the reverend gentleman belonged is not stated, but he was, possibly, a Presbyterian and preached at the Opequon church, where many Scotch-Irish settlers had located. It is altogether probable that when the court informed him of their verdict, Mr. Williams became justly outraged at the injustice of the decision and gave them a piece of his mind in primitive English, for which the justices mulcted him for an additional sum.

June 7, 1745, James Porteus, the first attorney sworn in at the first court, and John Quin, another attorney, seem to have gotten into a wrangle over some knotty law point and lost their tempers; so the court fined them each five shillings for "indecently behaving and swearing before the court." Jacob Christman, son-in-law of Jost Hite, from whom came the name of Christman's spring, south of Stephens City, was fined 2,000 pounds of tobacco for keeping a tippling house and retailing liquors without a license.

The first application for naturalization papers was made by Peter Mauk, a native of Germany, who came into court and took the oaths appointed by acts of Parliament to be taken instead of the oaths of allegiance and supremacy and the abjuration oath and subscribed the test, and received his papers. This old patriot was the progenitor of the Mauks of Page County, many of whose descendants are still in the section where he settled. Not long after this first application a number of other German Protestants from across the Blue Ridge came in and made settlements, among whom were John Frederick Vanpage Helm, John George Dellenor, Philip Glass, Jacob Peck, Augustine and Valentine Windle, Christopher Windle, Nathaniel Hunter, John Harman, Henry Miller, George Lough Miller and Philip and Michael Boucher.

The first charge of murder was brought against Sarah Medcalf, in September, 1745. Poison was alleged to have been used by the woman against her husband, but after an examination she was discharged, there not being sufficient evidence to indict her. December 6, 1745, Martha Grayham was arrested, brought before the justices, and charged with setting fire to the house of Andrew Campbell, but upon examination she was found not guilty, yet the learned judges, on general principles, it is presumable, ordered that the sheriff take her and at the common whipping-post administer to her "twenty-five lashes on her bare back well laid on." Ann Cunningham has the

honor of making the first application for divorce, or rather, "separate maintenance and alimony" from her husband, James Cunningham, for cruel treatment, and she gained her suit, too.

In May, 1747, John Hite's servant man, Henry Highland, absented himself about one month, for which offense he was sentenced by the court to serve his master three years, one month and fourteen days. He was also sentenced to serve two months more for abusing a horse. And here is a queer piece of colonial justice: April, 8, 1748, a servant of Thomas Rutherford, who had been the first sheriff in 1743, was brought before the justices for striking his overseer, whereupon the man was sentenced to serve his master one year longer than the time for which he was indentured. Another servant, Aaron Price, for assaulting Andrew Vance, was fined 200 pounds (\$1,000), and remain in custody, that is, be hired out, till the fine was paid. Bathany Haines was fined the same sum for being a person of ill-fame. These two persons probably remained in servitude the balance of their lives, for \$1,000 at that day was an enormous sum to a poor man.

No feeling of humanity seems to have had a place in the hearts of those old colonial justices, for a poor girl who would slip from the path of virtue, led off by some rascally libertine, and bring forth the fruit of her sin, would be sentenced to receive "twenty-five lashes on the bare back well laid on at the common whipping-post," condemned to serve some master two years, and her child bound for life to whosoever would take it. It seems almost impossible that such things could be, only about a century ago.

Our old Hibernian friend, Duncan Ogullion, the first jail builder, seems to have been a famous roysterer, for he and Neill Ogullion, Samuel Merryfield and Edward Nowland had a high time on the night of May 6, 1747, in Frederick Town, as it was called, and as will be shown further along. Andrew Campbell, who appears to have been the primitive Hawkshaw, for his name figures in a number of cases wherein he laid the information, had the above quartet arrested for "raising a riot," and the conservators of the peace bound them over for a year and a day. The first case of vagrancy is recorded about this time. Richard Ellwood was brought before the court on August 4, charged with being a "vagrant, dissolute, idle fellow," and was sentenced to receive twenty-five lashes on his bare back, after which he was handed over to a constable, who passed him to another, and so on till they run him out of the county.

An important arrival is recorded in the minutes of a court held in 1749, one that had a marked influence on public affairs, and is as follows:

"November 17, 1749.—The Right Honorable Thomas Lord Fairfax, Baron of Cameron in that part of Great Britain called Scotland, and proprietor of the Northern Neck, produced a special commission to be one of his Majesty's Justices of the Peace for the county from under the hand of the Honorable Thomas Lee, Esquire, President and Commander in Chief of the Colony and Dominion of Virginia, and the seal of this colony, took the oaths appointed by act of Parliament to be taken instead of the oaths of allegiance and supremacy and the oath of abjuration, and having subscribed the test, was sworn a Justice of the Peace and of the county court in chancery.

"Lord Fairfax, producing a commission, was sworn County Lieutenant.

"George William Fairfax, Esquire, at the same time was sworn to his commission of colonel of the militia of the county."

Considerable interest having for many years been manifested as to the exact location of the first court house and prison of Frederick County, the writer has made thorough researches of the ancient records, and is gratified to state that he has traced the matter to a conclusion that admits of no doubt. The minutes of the first justices' meeting record the fact that "they met,"—but where? Now, Col. James Wood, a prominent gentleman, a man of large landed interests, was appointed clerk of the court. He, presumably, had one of the most commodious residences in all these parts, although there were a number of other wealthy persons located throughout the county. Is it not natural and altogether in accordance with the course of matters that the justices should meet in his house, there being no court house then built in the county? Col. Wood's house was just beyond the western limits of the present Winchester, which fact is well known. And to confirm the idea that the courts were held at his house an item appears in the first county levy, where he is awarded the sum of "four pounds for the use of the court house." The justices continued to meet at the same place for some time, and it is supposed from certain proceedings that about 1745 they rented a building temporarily till a court house could be built, at or near where the present court house stands. Some time during the year 1745 a contract was entered into with John Hardin for building a court house, for at the levy laid on December 3, of that year, appears this item:

Tobacco,
lbs.

To John Hardin, for building the court house and to lay in the
sheriff's hands till the work is completed..... 11,920

Then follow these:

	£	s.	d.
November 4, 1746.—To Thomas Fossett, for furnishing one dozen chairs.....	1	7	0
To Marquis Calmes, for iron nails.	1	3	3
December 2, 1746.—To be lodged in the collector's hands for procuring irons, plates and dogs for the chimney in the court house.....	3	0	0
November 4, 1747.—To Andrew Campbell, for table.....	3	0	0
To be appropriated for flooring the court house and making a sheriff's box.....	8	0	0

John Hardin, the contractor, March 3, 1748, acknowledged the receipt of £100 in satisfaction for the joiners and carpenters work on the court house. The work must have progressed slowly, for in the spring of 1749 there appears an order of the justices for laying a floor in the court house; and one ordering the contractor to finish his work without delay. In August, 1750, however, the building was so far completed that the justices ordered that Jacob Hite and John Hardin agree with James Dunbar or any other workman, to fix benches round the court house and in the jury rooms; also to make two tables for the jury rooms, and to fix steps at the court house door, and to make report of the proceedings to next court. Yet there must have been a still further delay, for the next year, August 21, 1751, appears an order in the proceedings of the justices as follows: "John Hardin is ordered to finish the court house by next court." This last shot at the contractor no doubt had the desired effect, for nothing more appears in regard to the matter. That old temple of justice, built of stone, with one large chimney, stood for many years, fronting south, upon the spot where now stands the present edifice. Fronting as that building did upon the thoroughfare now known as Water Street, so called from the fact that it was nearest the town run, shows that Water Street was the principal street at that time.

The first prison erected, the one ordered to be built by Thomas Rutherford, who sublet his contract to Duncan Ogullion, must have been a very temporary affair, for December 5, 1745, the justices ordered "William McMachen and Lewis Neill to agree with workmen to build a square log house for a prison for this county." And in the same month 25,600 pounds of tobacco was appropriated for the purpose. An order was given for the prison to be plastered and white-washed.

The work on the prison must have been in the hands of more prompt mechanics than those on the court house, for the next year, August 7, 1746, Morgan Morgan and others were ordered to view the work on the prison; yet that may have been for the purpose of ascertaining the progress made by the contractor, for as late as 1750 an order was passed to procure locks for the building. The first old log prison, however, was offered for sale October 4, 1748.

As showing that there was a change in the location of the first seat of justice and the implements for executing the law, Daniel Craig was ordered to clear lots for the new buildings in 1745, and October 7, 1746, James Dunbar was paid £2:17:6 for removing the pillory and stocks. December 2, 1746, Marquis Calmes, gent., was paid £5:5 for erecting a "ducking stool according to the model of that of Fredericksburg." At the same time William McMachen, gent., was paid £2:10 for "digging a pit seven feet deep and six feet square in the clear, and walling the same with stone, for a ducking stool." This instrument was used more particularly for women whom the justices would condemn as "common scolds," and was supposed to have a particularly soothing, cooling effect upon the hot temper and strained nerves of the irate housewife.

The "Ducking Stool" was founded upon, and made obligatory by, the following act:

"At a Grand Assembly held at James City the 23d of December, 1662, and in the 14th year of our Sovereign Lord King Charles II.

"An Act for the Punishment of Scandalous Persons.

"WHEREAS, Many Babbling Women Slander and Scandalize their Neighbors, for which their poor Husbands are often involved in chargeable and vexatious Suits, and cast in great Damages: Be it, therefore Enacted by the Authority aforesaid, That in Actions of slander, occasioned by the Wife, after judgment passed for the damages, the Woman shall be punished by Ducking; and if the Slander be so enormous as to be adjudged at greater Damages than Five Hundred pounds of Tobacco, then the Woman to suffer a Ducking for each Five Hundred pounds of Tobacco adjudged against the Husband, if he refuse to pay the Tobacco."

Up to the date of the establishment by law of the town of Winchester, which will be shown in the next chapter, settlements had increased and the population had spread so rapidly over the large section of country comprised in Frederick County that many roads were

laid out, the most important of which will be found in the following list, gleaned from the records in the clerk's office:

From court house to Morgan Morgan's.
From meeting house at the gap of the mountain above Hugh Paul's to Warm Springs.
From court house to Littler's old place.
From Smith's to John Littler's.
From Parkins' mill to Jones' plantation.
From Sturman's Run to Johnson's mill.
From John Milton's to John Sturman's.
From Cunningham's chapel to the river.
From Hite's mill to Chrisman's Spring.
From county road to the chapel to McCoy's Spring.
From Opequon to the court house.
From Cedar Creek to McCoy's Run.
From Spout Run to John Sturman's.
From Opequon to Sherrando.
From Gaddis' plantation to Littler's mill.
From Hite's mill to Nation's Run.
From Mill Creek to Littler's old place.
From Ferry to the county road.
From Stephen's mill to McCoy's chapel.
From William Hugh's plantation to Jeremiah Smith's.
From Simon Linders' to old Lloyd's.
From Branson's mill to Gregory's Ford.
From Cunningham's to Borden's Spring.
From Capt. Rutherford's to Potomac.
From Capt. Rutherford's to John McCormack's.
From Howell's Ford to the top of the Ridge.
From David Lloyd's to top of Blue Ridge at Vestal's Gap.
From lower part of Patterson's Creek to the wagon road.
From mouth of Patterson's Creek to Job Pearsall's.
From Watkin's Ferry to Falling Waters.
From Hite's Spring to middle of swamp in Smith's Marsh.
From Gap on Little Mountain to Kersey's Ferry.
From Littler's old place to Opequon.
From Stony Bridge to Parker's on North River of Cape Capon.
From Richard Sturman's to Cunningham's chapel.
From court house to Ballinger's plantation.
From Funk's mill to Cedar Creek.
From Funk's mill to Augusta line.
From the town to Dr. Briscoe's.
From bridge near Lindsey's to Cunningham's chapel.
From Stover's mill to Gabriel Jones' plantation.
From Frederick Town to mouth of the South Branch.
From Long Marsh to Vestal's Iron Works.
From William Frost's to John Frost's mill.
From Hoop Petticoat Gap to Hite's mill.
From Branson's mill to Hite's mill.
From Ross' fence by the great road to Opequon.
From Johnson's house to road to Fairfax County.
From Caton's house to Jacob Hite's.

From Watkins' Ferry to Vestal's Gap.
 From John Ratchlies' to John Fossett's.
 From Stephens' mill to Mary Littler's.
 From Chester's to Branson's mill.
 From North River to Great Cape Capon.
 From Cunningham's chapel to Neill's Ford.
 From Cedar Creek to cross-roads at John Duckworth's.
 From John McCormack's to main road to town.
 On the river side from Long Marsh to Vestal's.
 From Sleepy Creek to Widow Paul's.
 From Morgan's chapel to Opequon.
 From Lloyd's crossing river to top of ridge.
 From Burwell's mill to Fox Trap Point.
 From Kersey's to ferry road of Shenando.
 From river at Edge's Ford to Francis Carney's.
 From head of the Pond in Shenando to Wormley's quarter.
 From bridge to head of Great Pond on Shenando.
 From Sturman's bridge to Burwell's mill.
 From Nation's Run to Capt. Hite's.
 From town to the Opequon.
 From the run by Nation's to Kersey's Ferry.
 From head of spring at Stribling's to Cunningham's chapel.
 From Mark Harman's mill to Isaac Hollingsworth's.

CHAPTER VI.

WINCHESTER AND WASHINGTON'S EARLY OPERATIONS.

LAYING OFF FREDERICK TOWN—FIRST STREET—PRISON BOUNDS—ESTABLISHMENT OF WINCHESTER—ORIGIN OF THE NAME—WASHINGTON'S MISSION—HIS ANCESTRY—FRENCH ENCROACHMENTS—BATTLE OF GREAT MEADOWS—FORT NECESSITY—WASHINGTON'S RETURN TO WINCHESTER—POPULATION OF THE LOWER VALLEY—INDIAN ATROCITIES—JOHN HARROW VS. G. WASHINGTON—BRADDOCK'S DEFEAT—WASHINGTON'S SPLENDID LETTER—WINCHESTER IN 1756—BUILDING OF FORT LOUDON—HISTORY REPEATED—CAPT. BULLITT'S EXPLOIT—CAPTURE OF FORT DUQUESNE—WASHINGTON AS REPRESENTATIVE FROM THE LOWER VALLEY—A COUPLE OF RELICS—THE SMALL-POX—DEATH OF CLERK WOOD.

FROM the fact that Winchester was established by law in 1752, it is generally supposed that the now prosperous town of that name took its rise at that date; that there were no buildings here to speak of and, consequently, no population; that the town was only laid off—surveyed—at the time indicated; and that the court met elsewhere, even after the act of the General Assembly creating the

village by name was passed; but the reverse of this state of affairs can be shown conclusively by the proceedings of the early justices and documents extant. Tradition places the nucleus of a town where Winchester now stands as early as 1732, for it is related that two of the best known families now residing in the city named had their origin in two cabins located on what is now known as the town run. The name of one of these families occurs among the records of land transfers as early as 1743, the other not until many years after. The following documents copied from the first Deed Book, and bearing date March 9, 1743, gives the first glimpse, of what is now Winchester, but what was called, as will be shown, for several years, Frederick Town.

KNOW all men by these presents that I, James Wood, of Frederick county, am held and firmly bound unto Morgan Morgan, Thomas Chester, David Vance, Andrew Campbell, Marquis Calmes, Thomas Rutherford, Lewis Neill, William McMachen, Meredith Helms, George Hoge, John White and Thomas Little, gents., Justices of the said county and their successors, in the sum of one thousand pounds current money of Virginia, to be paid to the said Morgan Morgan, Thomas Chester, David Vance, Andrew Campbell, Marquis Calmes, Thomas Rutherford, Lewis Neill, William McMachen, Meredith Helms, George Hoge, John White and Thomas Little, and their successors. To the which payment well and truly to be made, I bind myself, my heirs, executors and administrators firmly by these presents, sealed with my seal, and dated this 9th day of March, 1743.

THE CONDITION of the above obligation is such that whereas the above bound James Wood having laid off from the tract of land on which he now dwells at Opeckon, in the county aforesaid, twenty-six lots of land containing half an acre each, together with two streets running through the said lots, each of the breadth of thirty-three feet, as will more plainly appear by a plan thereof in the possession of the said Morgan Morgan, Marquis Calmes, and William McMachen. And whereas the said James Wood, for divers good causes and considerations him thereunto moving, but more especially for and in consideration of the sum of five shillings current money to him in hand paid, the receipt whereof he doth here acknowledge, Hath bargained and sold, on the conditions hereafter mentioned, all his right, title, interest, property and claim, to twenty-two of the said lots to the aforesaid Morgan Morgan, &c., his Majesties' Justices of the said county for the time being and their successors, to be disposed of by them for the use of the said county as they shall judge most proper, the said lots being numbered in the beforementioned plan as follows, viz: Nos. 1, 2, 3, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 19, 20, 21, 22, 23, 24, 25 and 26, on the following conditions, viz: that they, the said Justices or their assigns,

shall, within two years from the day of the sale of the said lots, build or cause to be built on each lot one house, either framed work or squared logs, dovetailed, at least of the dimensions of 20 feet by 16, and in case any person in possession of a lot or lots fail to build within the time limited, the property of the said lot or lots to return to the said James Wood, his heirs or assigns. And whereas the said James Wood not having yet obtained a patent for the said land can only give bond to warrant and defend the property of the said lots to the said Justices, their successors or assigns. Now if the said James Wood, his heirs, executors and administrators, shall from time to time at all times hereafter maintain, protect and defend the said Justices, their successors and assigns, in the peaceable and quiet possession of the before-mentioned lots of land from all persons whatsoever, Thomas Lord Fairfax, his heirs, or any other person claiming under him or them only excepted. And further, if the said James Wood, his heirs, &c., shall hereafter obtain either from His Majesty by patent or from the said Thomas Lord Fairfax or his heirs, a better title to the land of the said lots, than what he is possessed of at present, that then the said James Wood, his heirs, &c., shall within one year, if required, make such other title for the said lots to the said Justices or their successors, as their council learned in the law shall advise so far forth as his own title shall extend. Now if the said James Wood, his heirs, executors and administrators, shall well and truly perform all and singular the above conditions, then this obligation to be void, otherwise to be and remain in full force and virtue.

J. Wood.

Sealed and delivered in the presence of

WM. JOLLIFFE,
JNO. NEWPORT,
THOS. POSTGATE.

At a court continued and held for Frederick county, on Saturday, the 10th day of March, 1743, James Wood, gent., in open court, acknowledged this his bond to His Majesties' Justices, which is ordered to be recorded.

Test: J. Wood, Cl. Ct.

The entire district for a circuit of ten miles was called "Opeckan District," which included Frederick Town. Wood, it appears from the above documents, did not at that time own the land, but he acquired title to it, possibly, upon the arrival of Lord Fairfax. That the town was called Frederick Town appears in an order laying off a road, which reads, in part, as follows: "A road from Frederick Town to the mouth of the South Branch," and another from "The town to Dr. Briscoe's."

Among the proceedings of the court, August 7, 1747, is to be

found the following: "On motion of John Hopes it is ordered that no person or persons presume to strain, either by pacing or racing thro' the street by the court house in the time of holding court, or at any other public time whatever, under the penalty of a severe fine, and it is further ordered that the sheriff give public notice of the said order."

The above confirms the idea that the court house stood upon Water Street and that that street was the first one laid off. The street now known as London, at least from its junction with Water southward was known as the "great road." A road was laid off, as stated, "from Opekan to the court house," which shows that the court house was not near the Opequon Creek as some have supposed.

March 8, 1748, the following occurs as a portion of the business transacted by the justices: "On the motion of James Wood setting forth that the prison bounds for the county as now laid off including the town, is detrimental to the creditor, It is ordered that the surveyor of this county lay off ten acres adjoining the prison and including the court house, beginning on the south side the run, running with the front of the houses on the west side the street, till a square course will take in Mrs. Humphrey's house and back of the court house for the complement, and that Isaac Perkins, gent., agree with workmen to set up posts at each corner of the said bounds, or more, if needful." This arrangement was repealed the following year at the request of Robert Lemon and others, for reasons not stated, and the original bounds restored.

"Prison bounds" was an institution that obtained in those early days and even extended far into the lives of persons who are now living. When a person became involved in debt and refused to pay he could be arrested and imprisoned, but his "imprisonment" did not necessarily mean being locked up, if he could give bail that he would not escape. If he happened to reside within the laid off "prison bounds" he could go about his business as usual, live at home, and no change would take place in his condition, but if he stepped one foot from the allotted bounds his bail would be forfeited. On those conditions, it is said, a citizen of Winchester of some prominence lived at his home and transacted his business for a number of years, but he was so located that he could not go to his stable, an alley lying between his residence-lot and that building, said alley being the dividing line between "incarceration and liberty."

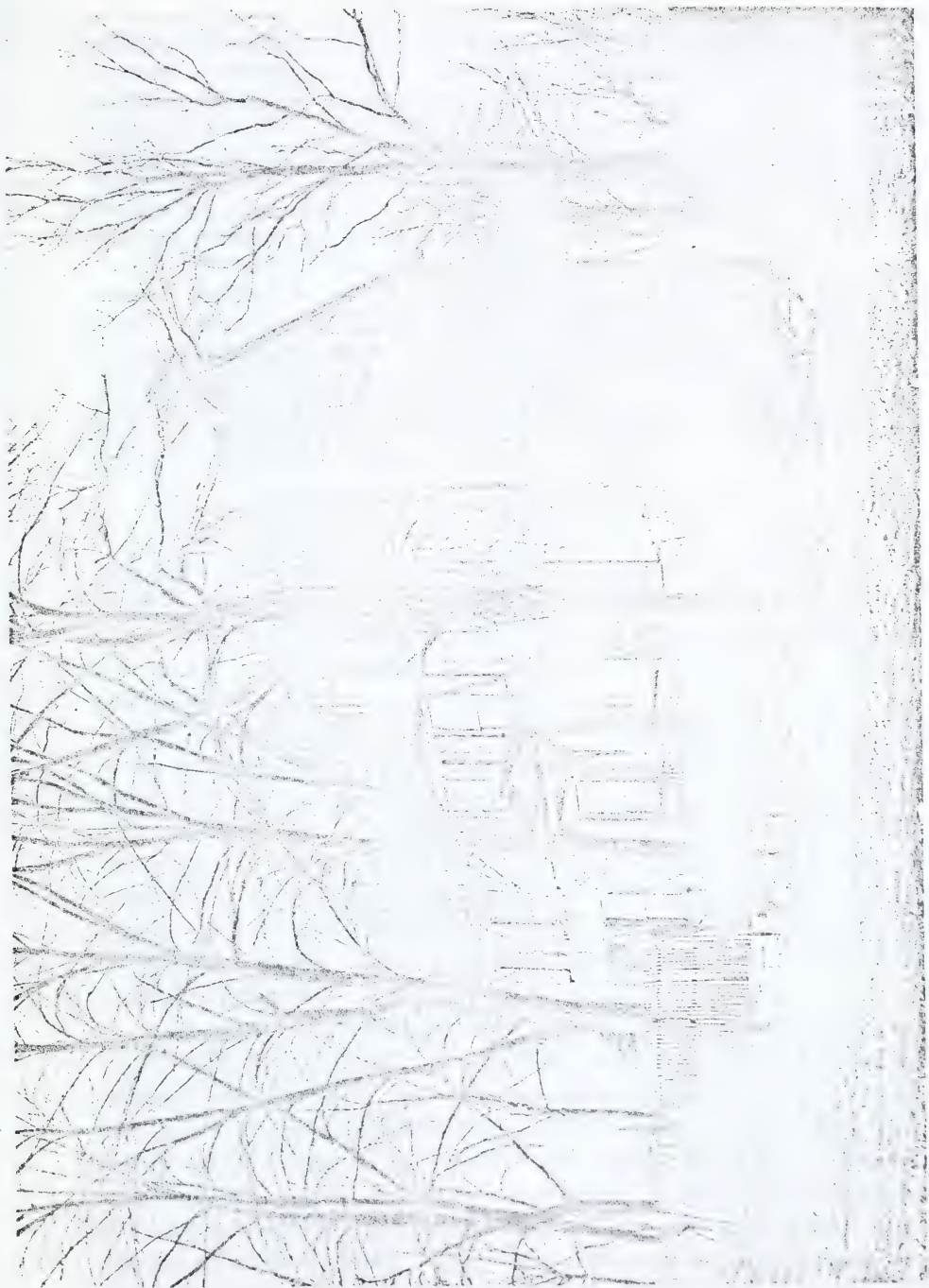
The above order of the Court shows that there was considerable of a settlement here at the date stated; so that when James Wood petitioned the General Assembly, three years later, for the lawful establishment of his town, he had a population to justify his request. Following is the act passed in February, 1752:

An Act for Establishing the Town of Winchester and Appointing Fairs therein.

I. WHEREAS, it hath been represented to this General Assembly, that James Wood, gentleman, did survey and lay out a parcel of land, at the court house in Frederick county, in twenty-six lots of half an acre each, with streets for a town, by the name of Winchester, and made sale of the said lots to divers persons, who have since settled and built, and continue building and settling thereon; but because the same was not laid off and erected into a town, by act of Assembly, the freeholders and inhabitants thereof will not be entitled to the like privileges, enjoyed by the freeholders and inhabitants of other towns in this colony;

II. *BE it enacted by the Lieutenant Governor, Council and Burgesses, of this present General Assembly, and it is hereby enacted, by the authority of the same*, that the said parcel of land, lately claimed by the said James Wood, lying and being in the county of Frederick aforesaid, together with fifty-four other lots of half an acre each, twenty-four thereof to be laid off in one or two streets, on the east side of the former lots, the street or streets to run parallel with the street already laid off, and the remaining thirty lots to be laid off at the north end of the aforesaid twenty-six lots with a commodious street or streets, in such manner as the proprietor thereof, the right honourable Thomas Lord Fairfax, shall think fit, be, and is hereby constituted, appointed, erected and established, a town, in the manner already laid out, and described to be laid out, to be called by and retain the name of Winchester, and that the freeholders of the said town, shall forever hereafter, enjoy the same privileges with the freeholders of other towns, erected by act of Assembly, enjoy.

III. And whereas allowing fairs to be kept in the said town of Winchester, will be of great benefit to the inhabitants of the said parts, and greatly increase the trade of that town, *Be it therefore enacted by the authority aforesaid*, that for the future, two fairs shall and may be annually kept, and held, in the said town of Winchester, on the third Wednesday in June, and the third Wednesday in October, in every year, and continue for the space of two days, for the sale and vending all manner of cattle, victuals, provisions, goods, wares, and merchandizes, whatsoever; on which fair days, and two days next before, and two days next after, the said fairs, all persons coming to, being at, or going from the same, together with their cattle, goods,



HOLLINGSWORTH HOUSE, "ABRAHAM'S DELIGHT,"
NEAR WINCHESTER, VA. BUILT IN 1791

wares, and merchandizes, shall be exempted, and privileged, from all arrests, attachments, and executions, whatsoever, except for capital offenses, breaches of the peace, or for any controversies, suits, or quarrels, that may arise and happen during the said time, in which case process may immediately be issued, and proceedings thereupon had, in the same manner as if this act had never been made, anything herein before contained, or any law, custom, or usage, to the contrary thereof, in any wise, notwithstanding.

IV. *Provided always*, That nothing herein contained, shall be construed, deemed, or taken, to derogate from, alter, or infringe, the royal power and prerogative of his majesty, his heirs and successors, of granting to any person or persons, body politic and corporate, the privileges of holding fairs, or markets, in any such manner as he or they, by his or their royal letters patent, or by his or their instructions, to the governor, or commander in chief of this dominion, for the time being, shall think fit.

Having established our town of Winchester, it may be interesting to know the origin of the name. James Wood, of course, named his town, and many persons suppose that he selected the title in honor of Lord Winchester, but it is altogether probable that such was not the case. Wood was an Englishman and it is very likely a city-bred man, for he was a good penman and had eminent business and clerky acquirements, which facts pointed him out to the early justices as the proper person for clerk of their court. People removing from their homes to distant sections are in the habit of naming the new localities where they settle after those which they have left. What more natural, therefore, than that Clerk Wood should name his town after the city where he had spent his youthful days? So the ancient city of Winchester in England was, doubtless, the original home of the founder of the county seat of Frederick; therefore, as to the history of that city and its name a few facts may be interesting. "Reese's English Cyclopedia" says under the head *Winchester*:

"An ancient and eminent city, in Hampshire, or the county of Southampton, in England, eleven miles north northeast from Southampton, and sixty-two and one-half west southwest from London. The buildings are disposed on the eastern declivity of a low hill which gently slopes to the valley of the river Itchen, the chalky cliffs of which, and the chalky soil of the surrounding heights, in the opinion of Camden, occasioned the ancient name of the city, *Caer-Gwent*, signifying the "White-city." The latter portion of the name, under the Romans, became *Venta*, with the addition of *Belgarum*, from its sit-

uation in the country occupied by the *Belgæ*, by which it was distinguished from *Venta Silurum*, now Caerwent in Monmouthshire, and *Venta Icenorum*, now Castor, near Norwich, in Norfolk. From *Gwent* or *Venta* we have the first part of the name, and *Chester*, the last part, is a corruption of *Castra*, the Roman term for encampments of different kinds: a frequent name, or appendage of a name, of various places in England, and perhaps invariably an indication that such places owe both their origin and their primitive form to the military stations of the earliest conquerors of Britain."

The origin of the English Winchester, remote as it unquestionably is, has been carried back to an epoch far beyond belief, even a century and a half anterior to the foundation of Rome. Without referring to such remote and uncertain time, it may safely be inferred that that spot was occupied by the *Belgæ*, a Germanic tribe who, passing from Gaul, took possession of the country bordering the southern coast of England. (*Vid.* *Cæsar's Bel. Gal.* ii. 4.) Previous to their occupancy, it is conjectured that Winchester was the *Caer-Gwent*, or white city, of the aboriginal Britons. After the Romans had subdued the *Belgæ* and the Britons they took possession of this town, and fortified it with ramparts and walls. These were disposed on the sloping side of a hill, and in the usual form of a parallelogram. After the Romans left the Island in 446, Gortheryn, or Vortigern, was elected chief of the western district, and he fixed his seat of government at Winchester. This ancient city as well as the whole island was destined soon to experience a total change of polity, customs and manners, by the introduction and domination of the Saxons in 519. On the advent of these, our hardy progenitors, the name of the city was changed from aboriginal *Gwent-Caer* and the Roman *Venta-Castra*, to another of equal import, *Wintan-ceaster*, from which the modern name, Winchester, has easily, gradually and imperceptibly been formed.

The first event of importance in the history of Winchester after its establishment by law was the arrival in the primitive village of a young gentleman, scarce twenty-one years of age, who was destined twenty-five years later to lead the armies of his country to victory, give peace and prosperity to a land the fairest upon which ever shone the sun of a beneficent creator, whose name and whose fame has gone abroad to the utmost bounds of civilization, and whose patriotic deeds and military valor will go ringing down the ages till time shall be no more. Having been a resident of Winchester for nearly four years, and a

member of the General Assembly of Virginia from the county of Frederick in 1758-61, a short sketch of the origin of this illustrious man is appropriate in this work.

George Washington was born in the parish which bears his family name, in the county of Westmoreland, Va., on February 22, 1732. He was the third son of Augustine Washington, a planter of respectable talents, distinguished integrity, and large estate; descended from an ancient family of Cheshire, England, one of whom removed to Virginia about the middle of the seventeenth century, and became the proprietor of a large tract of land in King George's County. Inhaling the pure mountain air, and accustomed to the healthful occupations of a rural life, his limbs expanded to a large and well proportioned size, corresponding with his majestic stature. His education was suited to the business of the country. His classical studies were not pursued beyond the rudiments of the Latin tongue, but his knowledge of the most useful branches of mathematics, and particularly in relation to surveying, was extensive, for the many tracts of land surveyed for Lord Fairfax in Frederick County, show his attainments in this regard. He came to this section when he was but seventeen years of age, as the list of lands laid off by him and printed in a previous chapter of this work attest. At the age of ten years, his father dying, the charge of a numerous family devolved on young Washington's eldest brother, Lawrence, a gentleman of fine attainments, who held a captain's commission in the provincial troops, and who was with Admiral Vernon in the celebrated attack on Carthagera. Lawrence married the daughter of William Fairfax and settled on the patrimonial estate, calling it through respect for his former commander, Mount Vernon. Lawrence was afterward made adjutant-general of the militia of the colony, but he did not long survive his appointment. He left a daughter who died young, and his second brother having died without issue, George succeeded to Mount Vernon. At the age of fifteen he was entered as a midshipman in the British navy, but his mother, then a widow, unwilling that he should be employed at so great a distance from her, induced him to forego that profession, and he began life as a surveyor.

The French, with their Indian allies, had for many years gradually been making encroachments from the direction of Louisiana and Canada. They were endeavoring by a series of fortifications and military posts to unite these two far distant sections of the continent. The English, on the other hand, claimed the country from the Atlantic

to the Pacific between the two points named, and gave a grant of 600,000 acres of land to the "Ohio Company," who carried on large traffic in furs with the Indians. This company, pressing forward into what the French deemed their own domain, the fact was brought to the notice of the governor of Canada, who wrote to the governors of New York and Pennsylvania protesting against the inroads of the Ohio Company, and claiming the entire country east of the Ohio River to the Alleghanies. Several of the traders of the company named were carried off and the Indians were encouraged by the French to active hostilities against the English along the frontiers. Many atrocities were committed by the savages until the matter became unbearable, and action was decided upon by the governor of Virginia, along the borders of which nearly all the barbarities were committed. Gov. Dinwiddie, who had arrived in Virginia in 1752, at the ensuing session of the General Assembly, laid the complaints and protests of the fur company and frontier people before that body, who authorized the governor to despatch a messenger to the commandant of the French fort, on a branch of French Creek about fifteen miles south of Lake Erie. George Washington, then but twenty-one years of age, and a major of militia, was intrusted with the delicate and hazardous enterprise. Maj. Washington started from Williamsburg the last day of October, 1753, came to Alexandria and thence to Winchester, where he supplied himself with horses, baggage, etc. At that period Winchester was the outpost of the frontier villages or towns, for beyond the mountains not far distant lurked the savage foe ready, from behind every tree, to slay without mercy any unfortunate white person who should cross his path. And what an undertaking for a young man of his age! But the future father of his country had within him those qualities to make him surmount all obstacles, where good was to be the result. The party was composed of eight persons in all: an Indian interpreter, a French interpreter, a guide, and four others besides himself. The journey required experience in the modes of traveling through the woods, and a knowledge of the Indian character. The distance was about 550 miles, over rugged mountains and mostly through a howling wilderness. After much toil in an inclement season, in marching over snow-covered mountains and crossing rivers on frail rafts, they at length reached the junction of the Monongahela with the Allegheny. Washington made a careful examination of the location, for it struck him as an eligible site for a fort, and by his

recommendation the fortification was erected there that afterward became so celebrated. Twenty miles below the forks of the Ohio, at a place called Logstown, he had a conference with some of the Indian chiefs, to whom he delivered a message from the governor, soliciting them to furnish a guard to the party to enable them to reach the French fort. The principal sachem was Tanacharison, the Half-King, as he was called. Having met in council Washington addressed them, explaining the object of his mission. The chiefs made a pacific reply, and Tanacharison and three others accompanied the young ambassador to the French fort. The commandant, M. de St. Pierre, received Washington cordially, who presented his commission and letter from Gov. Dinwiddie. The letter claimed that the lands on the Ohio belonged to the British crown, and requested a speedy and peaceful departure of the French. The reply of St. Pierre was respectful, but stated that the letter should have been addressed to the French governor in Canada, and that it was his duty to remain where he was until ordered elsewhere by his superiors. Washington and his party were politely entertained, yet the French commandant used artifice to detain the Indians. The whole company, however, left and proceeded down the river as far as Venango, which they reached after six days. The trip was full of perils from rocks and drifting trees. They found their horses, which they had left, in an emaciated condition, and to relieve the animals Washington and Messrs. Gist and Vanbraam, the guide and French interpreter, proceeded on foot with gun and knapsack each. After many trials they reached the Allegheny River, but found no means of crossing. Washington said in regard to this portion of the journey: "There was no way of getting over except on a raft, which we sat about making with but one poor hatchet, and finished just after sun-setting. This was one whole day's work. We next got it launched, and went on board of it; then set off. But before we were half way over we were jammed in the ice in such a manner that we expected every moment our raft would sink and ourselves perish. I put out my setting pole to try to stop the raft that the ice might pass by, when the rapidity of the stream threw it with so much violence against the pole that it jerked me out into ten feet of water. But I fortunately saved myself by catching hold of one of the raft-logs. Notwithstanding all our efforts we could not get the raft to either shore, but were obliged, as we were near an island, to quit our raft and make to it." The night was passed in great suffering from

the intense cold, the island being desert. In the morning, the river being frozen over, they passed in safety, and after sixteen weeks absence Washington arrived at Williamsburg.

The failure of the mission of Maj. Washington to accomplish the result desired by the governor of Virginia revealed the intentions of the French, and active measures were instituted to oppose the encroachments of the enemy. A regiment was raised by Col. Joshua Fry, with Washington as lieutenant-colonel, and Capt. Trent's company was hastily sent forward to commence the building of a fort at the junction of the Allegheny and Monongahela Rivers, but a company of French and Indians, under Capt. Contrecoeur, arrived and drove off the Virginians, and built Fort Duquesne. Washington, who was posted at Will's Creek (afterward Fort Cumberland), with three companies awaiting the arrival of Col. Fry with the remainder of the regiment and the artillery, wrote for reinforcements, and pushed rapidly forward to the Monongahela. His intention was to gain a point somewhere above the forks of the two rivers, await the arrival of Col. Fry, and then drop down to Fort Duquesne, but learning that the French were coming out to meet him, he hurried forward to Great Meadows, and threw up an intrenchment. The French had come out with a considerable party, for the double purpose of giving battle where they would have the advantage, and, in case of necessity, of making it appear that they came as an embassy to request the English to depart. This battle, a description of which is not necessary here, was recited by French writers at the time much to the prejudice of Washington. The French historians, in fact, afterward called the killing of one of their principal officers, M. Jumonville, an assassination. But that the skirmish and its disastrous results were due to the superior foresight and skill of Washington there is no doubt; he simply outgeneraled the Frenchman, and they in their chagrin at defeat at the hands of a few raw backwoodsmen, endeavored to cover the disgrace by misrepresentations to their government. Washington, in his report to the governor, says, after relating the circumstances leading up to the engagement: "When we came to the Half-King (a friendly chief), I counseled with him, and got his consent to go hand-and-hand and strike the French. Accordingly he, Monocawacha and a few other Indians, set out with us, and when we came to the place where the tracks were, the Half-King sent two Indians to follow their tracks, and discover their lodgment, which they did at half a mile from the road, in a very

obscure place surrounded with rocks. I thereupon formed a disposition to attack them on all sides, and after an engagement of about fifteen minutes we killed ten, wounded one, and took twenty-one prisoners. The principal officers taken are M. Drouillon and M. La Force, of whom your honor has often heard me speak, as a bold, enterprising man, and a person of great subtlety and cunning. With these were two cadets. We have only one man killed and two or three wounded (among whom was Lieut. Waggoner, slightly), a most miraculous escape, as our right wing was much exposed to their fire, and received it all."

In his journal Washington, writing of the above affair, says: "They pretend that they called to us as soon as we were discovered, which is absolutely false, for I was at the head of the party in approaching them, and I can affirm that as soon as they saw us they ran to their arms, without calling, which I should have heard if they had done so."

Washington sent his prisoners taken in this action to the governor, and proceeded to erect a stockade which he called "Fort Necessity," from its temporary character, expecting that the defeat at Great Meadows would arouse the French at Fort Duquesne and his conjectures were realized, for M. de Villiers soon appeared with a strong detachment, and after an investment of a few hours Fort Necessity was surrendered. The entire garrison was to be permitted to leave with the honors of war and to surrender the prisoners taken at Great Meadows, all of which was performed, and Washington and his brave companions took their weary way back to Will's Creek. From thence Col. Washington, who was now in command of the forces, Col. Fry having died some time previously, returned to Winchester, had a consultation with Lord Fairfax, county lieutenant of Frederick, and then proceeded on his way to Williamsburg. As soon as the House of Burgesses assembled they passed a vote of thanks to Col. Washington and his officers for their bravery and gallant conduct. The young commander, as yet a mere youth, inexperienced and unskilled in warfare, save from his own natural resources, was present, and a word or two of acknowledgment was looked for from him, but he hesitated for lack of words, seeing which the speaker relieved him by saying: "Young man, sit down; your modesty is equal to your valor, and that surpasses any language I can express." Washington shortly after this episode came to Winchester, being entertained, tradition has it, by Lord Fairfax and Col. James Wood.

The population of Virginia at this time, 1754, was estimated by Franklin to have been 85,000—the whole population of the English colonies being but 1,046,000. The entire colony of New York was only 100,000. The valley of Virginia, according to the best ascertained estimates, contained less than one-third the population of the colony, say 25,000, from which deduct about 5,000 for the settlements above the line of Shenandoah, and 20,000 is left as the population of the lower valley, including all settlements westward of what is now Frederick and Berkeley Counties. It will be seen from this sparse population that the early settlers were necessarily located at long distances apart, and, therefore, liable at any time to the incursions of the hostile savages who had become, under the incitement of the French, doubly bold in their relentless attacks upon the defenseless homes of those of the pioneers whose humble habitations were situated amid the wilds of the mountain districts, or isolated in the verdant vales far from any friendly fort or sympathizing neighbors who could rally to their assistance.

Such a state of affairs existing, when man, woman nor child dared venture scarce one hundred yards from their homes; when neither age, sex or helplessness, afforded the least shield from the rifle, the tomahawk and the scalping knife; when the terrible yell of the brutal red skins and the destructive firebrands of the heartless foe might be expected at any moment, is it any wonder that a general rejoicing pervaded the settlements when it was rumored during the winter of 1753-4 that the Indians contemplated removing west of the mountains in the spring? And can their joy be imagined when it was found that by the latter part of March they had left the valley almost to a man? What caused the sudden exodus of the savages was not certainly known, nor did the settlers care what produced it; enough for them to know was that they *had* gone. The vigorous operations of Washington in the preliminary contests had shown the French that they had no trifling foemen to deal with, and they, therefore, concluded to concentrate all their resources for the conflict that was shortly to decide the supremacy of the two nations along the Ohio. The Indians were important allies to the Frenchmen, so they called them in from the valley, and although the riddance was not total and permanent, yet the result of the struggle at Fort Duquesne a few years later decided that the white man should be the ruler of this beautiful Shenandoah Valley. But even after this blow to France and the

curbing of the Indians, many valuable lives were lost at the hands of predatory bands of the marauding red devils.

One of the stipulations at the surrender of Fort Necessity was that Washington should return the French prisoners taken at the battle of Great Meadows, which was done as soon as the commander arrived at Winchester, where they were held and guarded by a small detachment of soldiers and citizens. That the prisoners were in Winchester appears from the proceedings of one of the justices' courts held in September, 1754, where several parties are arraigned before the authorities for "refusing to guard the French prisoners," and fined for neglecting to fulfill that duty. Washington's name appears on the records of Frederick County for the first time on October 1, 1754, in a case instituted by John Harrow against the afterward father of his country, but what the charge was doth not appear, as the suit was dropped by the court, and nothing further was done in regard to it. Washington resided in Winchester, or had his permanent headquarters there, during the larger portion of two years, as is amply shown by his name appearing in connection with various local matters in the proceedings of the justices for a period covering the time stated, and particularly where, in a year or two later, he requests to be placed upon the list of tithables of the county.

In August, 1754, Gov. Dinwiddie having resolved to prosecute the war against the French on the western frontier, wrote to Washington at Winchester to fill up the companies of his regiment by enlistment and lead them without delay to Will's Creek, where Col. Innes, with some troops from the Carolinas and New York, were building Fort Cumberland. The governor was totally ignorant of military affairs; knew nothing of the country to the west of the mountains, and his preliminary measures were supremely injudicious, not to say ridiculous. From Fort Cumberland it was Dinwiddie's project that the united forces should immediately cross the Alleghanies and drive the French from Fort Duquesne, or build another fort beyond the mountains. Col. Washington, astonished at the absurdity of the scheme, contemplated at a season when the mountains would be covered with snow, and the army enfeebled and destitute of supplies, made such strong protests that the project was abandoned. The General Assembly, who would not yield to all the demands made by the governor, opposed the plan, and His Excellency never ceased to charge that body with being "republican in their way of thinking." He had lately pro-

rogued them, to punish their obstinacy, and wrote to his royal master across the water that he was satisfied that the French would never be effectually opposed unless the colonies were compelled, independently of assemblies, to contribute to the common cause. Fifty thousand pounds, partly raised by the colony of Virginia and partly sent from England, enabled the governor to enlarge the army to ten companies of 100 men each. They were established as independent companies, by which arrangement the highest officers in the Virginia regiment would be reduced to captains. The high spirit of Washington revolted against this degradation; so he resigned his commission and retired from the service, leaving the doughty governor to fight his own battles with the Frenchman. Little dreamed Dinwiddie when he attempted to reduce that young colonel to a captain how soon his flashing sword would sweep from the colonies not only the French, but King George and all royalty, "pride, pomp and circumstance" of thrones and principalities.

The mother country, realizing the importance of speedy and effectual measures for the removal of the enemy on the frontiers of her valuable colonies, dispatched to their assistance in the spring of 1755, Maj.-Gen. Edward Braddock, who was in command at Cork, Ireland, with two regiments, the Forty-fourth, Col. Sir Peter Halkett, and the Forty-eighth, Col. Dunbar. The general with his two well-equipped and disciplined regiments of English regulars arrived in Alexandria in March, and April 14 he held a consultation with Com. Kippel. There were present Govs. Dinwiddie, Sherley, Morris, Sharp and Dulany from Williamsburg. At this conference Braddock promised to be beyond the Alleghanies by April, and it is charged that he even prepared expresses to be sent back to announce his victories. He proceeded from Alexandria across the mountains to Winchester, where, it is thought, Washington offered his services as aid-de-camp to the general, which was accepted, and where, also, according to tradition, Franklin, then postmaster-general of the colonies, met the English officer. It is, also, almost a certainty that Daniel Morgan joined the command at Winchester as a wagoner, for he was then just twenty years of age, and followed wagoning for a livelihood.¹ Braddock was a brave and experienced officer in European warfare, but entirely unfit for the services upon which he was engaged; he simply knew nothing of the habits of the Indians and their mode of fighting, and the savages were the most important branch of the French service in

America. He looked upon the colonial troops as the rudest and crudest militiamen, and considered his lowest subalterns the superiors of the highest officers of the Virginia regiments placed at his disposal at Winchester and Will's Creek (Fort Cumberland). He formed extravagant plans for his campaign. He would march forward and reduce Fort Duquesne, thence proceed against Fort Niagara, which, having conquered, he would close a season of victories by the capture of Fort Frontignac, but *l'homme propose, et Dieu dispose*. After much delay in consequence of being encumbered with baggage, the day of starting arrived, which was the 8th of June, but they soon came to a halt and decided to divide the force. Washington asked permission to take the advance and scour the woods with his provincial troops, but was refused. The general with 1,200 chosen men, under Sir Peter Halkett, Lieut.-Col. Gage, Lieut.-Col. Burton and Maj. Sparks, started on their unfortunate trip, and proceeded through that wild savage-haunted region without the precautions so well known to Washington and his Virginian borderers. The French, who were kept advised of every movement, made ample preparations to receive them. Washington fell sick in the meantime and was left with Col. Dunbar, who remained in command of the reserve left in the rear, but he managed to regain the side of Gen. Braddock the day before the disastrous defeat.

The army crossed to the left bank of the Monongahela, a little below the mouth of the Youghiogheny, being prevented by the rugged hills from continuing along the right bank to the fort. Washington was heard to say many times afterward that the most beautiful spectacle he ever beheld was the display of the British troops on this eventful occasion. Officers and men were equally inspirited with cheering hopes and confident anticipations, but they knew not the wiles of the enemy who were leading them into the jaws of death.

"In this manner they marched forward until about noon, when they arrived at the second crossing, ten miles from Fort Duquesne. By the order of march a body of 300 men under Col. Gage made the advanced party, which was immediately followed by another 200. Next came the general with the columns of artillery, the main body of the army and the baggage. At one o'clock the whole had crossed the river, and almost at this moment a sharp firing was heard upon the advanced parties, who were now ascending the hill, and had proceeded about a hundred yards from the termination of the plain. A

heavy discharge of musketry was poured in upon their front, which was the first intelligence they had of the proximity of the enemy, and this was suddenly followed by another on the right flank. They were filled with the greater consternation, as no enemy was in sight, and the firing seemed to proceed from an invisible foe. They fired in turn, but quite at random, and obviously without effect."

All was in the utmost confusion; Braddock hastened forward to the relief of the advanced parties, but it was all in vain. A panic seized the regulars, who were unused to such warfare, and they fled, as Washington afterward wrote, "like sheep before dogs." The Virginians were the only ones who seemed to retain their senses; they behaved with bravery and resolution and deserved a better fate. An officer who witnessed the engagement said that Col. Washington behaved with the utmost coolness and bravery, that he was everywhere on the field, and seemed to bear a charmed life. Washington himself, said in a letter to his brother: "By the all-powerful dispensations of Providence, I have been protected beyond all human probability or expectation, for I had four bullets through my coat, and two horses shot under me, yet I escaped unhurt, although death was leveling my companions on every side of me."

So bloody a contest has rarely been witnessed. The number of officers in the engagement was eighty-four, of whom twenty-six were killed and thirty-seven wounded. The general himself was shot in the early part of the action, and died a day or two after. In this connection, it is said that one of the provincials, partly in revenge for Braddock's striking his brother, and partly to save the rest of the army from death by the obstinacy of that general, shot him from behind a tree. The remnant of the army being put to flight, Washington returned to Col. Dunbar, who ordered up horses and wagons for the wounded. The enemy did not pursue, as the Indians refused to leave the rich field of carnage and plunder, and the French were too few to act without their aid.

Col. Dunbar, succeeding to the command of the troops, after the defeat of Braddock, marched them to Philadelphia, and Col. Washington repaired to Williamsburg to await events. He was given the command of all the forces raised and to be raised in Virginia, with the privilege of selecting his own field officers. He chose as his next in command Lieut.-Col. Adam Stephen and Maj. Andrew Lewis, and made Winchester his headquarters. The General Assembly voted him

£300; each of the captains, Adam Stephen, Thomas Waggoner and Robert Stewart, £75; each of the lieutenants, William Bronaugh, Walter Stewart, Hector MacNeal and Henry Woodward, and James Craig, surgeon, £30; and to the privates who survived, £5, in addition to their wages, which was quite a liberal proceeding on the part of those old law-makers.

The victory of the French and Indians greatly emboldened them, and they made constant raids upon the settlements, and to such a pass had matters come that Washington hastened from Winchester in the ensuing spring to Williamsburg, to prevail upon the governor to augment the forces by additional men, and to build a fort at Winchester. He was deeply concerned at the situation of the defenseless people on the border, and with that kindness of heart which at all times seemed to be twin attribute to his valor, he wrote the woes of the hardy and long-suffering pioneer in the following letter, which deserves to be printed on silver and framed in gold:

"I see their situation, I know their danger, and participate their sufferings, without having it in my power to give them further relief than uncertain promises. In short, I see inevitable destruction in so clear a light, that unless vigorous measures are taken by the Assembly, and speedy assistance sent from below, the poor inhabitants now in forts must unavoidably fall, while the remainder are flying before the barbarous foe. In fine, the melancholy situation of the people, the little prospect of assistance, the gross and scandalous abuses cast upon the officers in general, which is reflecting on me in particular, for suffering misconduct of such extraordinary kind, and the distant prospect, if any, of gaining reputation in the service, cause me to lament the hour that gave me a commission, and would induce me, at any other time than this of imminent danger, to resign, without one hesitating moment, a command from which I never expect to reap either honor or benefit; but, on the contrary, have almost an absolute certainty of incurring displeasure below, while the murder of helpless families may be laid to my account here. The supplicating tears of the women and moving petitions of the men melt me with such deadly sorrow, that I solemnly declare, if I know my own mind, I could offer myself a willing sacrifice to the butchering enemy, provided that would contribute to the people's ease."

It seems almost impossible that this magnificent letter, breathing the mature ideas of the patriot, the martyr and the father, should be the production of one who was scarce out of boyhood, being but twenty-four years of age! This production was written in the town of Winchester, and forwarded to Gov. Dinwiddie, whose indifference to

the sufferings of the frontier colonists was so flagrant as to be cowardly and brutal.

War having been formally declared by France, 1756, the spring of that year witnessed increased barbarities on the part of the Indians. Massacres were occurring on all sides, scouting parties were ambushed, forts were attacked, and serious apprehensions were felt for the safety of Winchester. The number of troops were wholly insufficient for the protection of that village, which had become quite respectable in size. What the number of houses were is impossible to ascertain at this late date, but there were five or six taverns, or ordinaries, as they were termed, in operation, for licenses were granted to Robert Lemon, Jacob Sower, John Lindsey, John Stuart, Peter Wilt and Henry Heath, a couple of years prior to 1756. There were two stores, for the sale of all kinds of goods, one being kept by the same Robert Lemon mentioned above, and another by Robert Rutherford. There are indications of still others than those mentioned, as well as a number of other businesses, and it is very likely that Winchester at this time presented quite a busy appearance, with its court house and prison and whipping-post and stocks, to say nothing of that ingenious piece of mechanism, evolved from the brains of our forefathers, for the purpose of soothing our glib-tongued foremothers—the gentle “ducking-stool.” [See Webster’s Dictionary.] This apparatus, the “pit” being dug by William McMachen, and the “stool” furnished by Marquis Calmes, was located, it is thought, on that portion of the block north of the town run, bounded by Loudon, Water and Cameron Streets. There were soldiers here nearly all the time, and one can imagine the stately and handsome young colonel, Washington, standing by the tavern door of Henry Heath, or riding along Loudon Street, just named, on his way to give directions to the workmen at the fort on the hill, just being built. And let one picture to himself the joy of the inhabitants during the building of that fort; how they would congregate on the old hill out north yonder and watch the soldiers and workmen throwing up the bulwarks that would protect their wives and little ones from the ferocity of the savage. And is it any wonder that these people, as well as all others who ever came in contact with him, loved this man Washington for erecting this defense? Did he not appear to them, as he did twenty years later to the oppressed colonists, a very shield and sword? Happiness it was, indeed, to have looked upon the face of that illustrious man, and for whom

our best words of praise fall but tamely. Old Parson Weems, in his little "Life of Washington," has outstripped all the grandiloquent biographers of that wonderful man, for his simplicity and childlike enthusiasm not only voiced his own sentiments, but gave expression to a feeling that pervaded all American patriots at the time it was written. Even the delightful "little hatchet" incident (appearing nowhere else than in Weems) had a meaning far deeper than is now apparent.

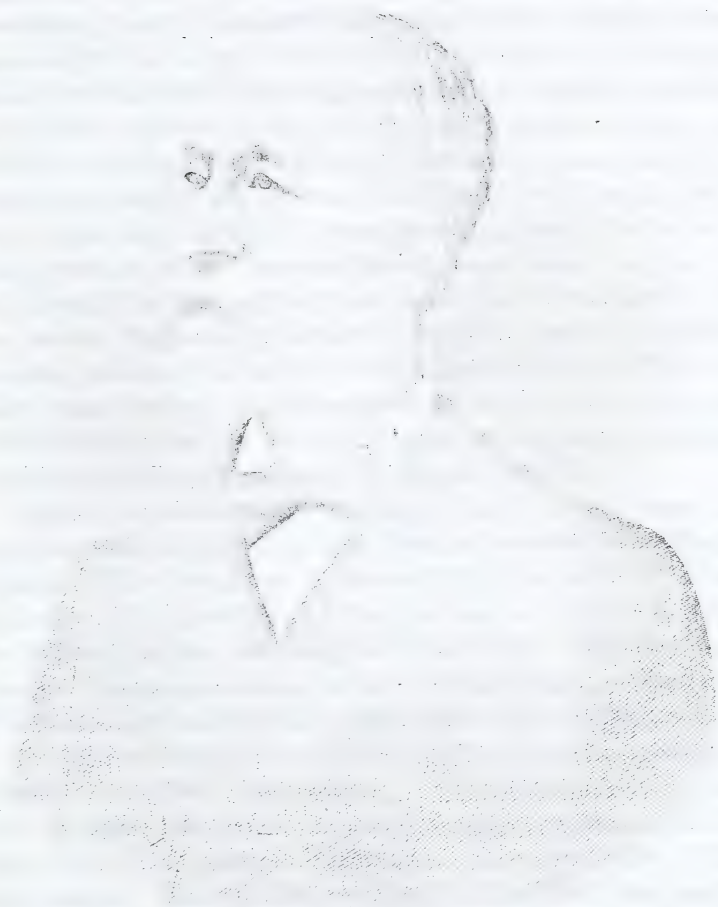
There must have been a little stir in the village on January 6, for at the recommendation of Washington a number of officers were appointed by the justices, at a session of the court held on that date. George Mercer, Robert Stewart, Thomas Cock, William Bronough, Joshua Lewis, John Mercer, William Peachy and David Bell, were appointed captains in the Virginia regiment. Walter Stewart, John Williams and Augustine Brockenbrough were made lieutenants, and Charles Smith, Leahyinsius DeKeyser and William Crawford, ensigns. Dennis McCarty, William Beckley, James Ray and Robert Johnson, four gallant frontiersmen, came up and volunteered their services in the same regiment. They all took the oath to his majesty. At this same session of the court the justices passed an order "for reasons thought proper" to adjourn to the house of Enoch Pearson. The "reasons" for this action was that the French and Indians were expected to pay the village a visit at any moment, and the cautious old magistrates did not feel it their duty to run the risk of having their official scalps dangling to the belt of some painted and indiscriminating savage. Just where Enoch Pearson dwelt doth not appear, but it was, presumably, in some comparatively safe spot. Shortly after this the following may be seen among the proceedings of the justices: "A grand jury being summoned, were called and did not appear, being occasioned by the commotions in the county on account of the Indians." Shortly after the above dates, on June 1, 1756, Washington's name in connection with three others, appears as a witness against James Knap for forging or counterfeiting a treasury note of the colony, which shows that rascality is not a peculiarity of the present time, by any means.

There having been some controversy in regard to the date of the building of the old fort at the north end of Winchester, the author has made search of the enactments of the General Assemblies of Virginia, and has been rewarded by the discovery of the following clause

of Chapter II, Henning's Statutes at Large, Vol. 7, p. 33; passed March, 1756:

XVI. And whereas it is now judged necessary that a fort should be immediately erected in the town of Winchester, in the county of Frederick, for the protection of the adjacent inhabitants from the barbarities daily committed by the French and their Indian allies, *Be it enacted by the authority aforesaid*, That the governor, or commander in chief of this colony for the time being, is hereby impowered, and desired to order a fort to be built with all possible dispatch in the aforesaid town of Winchester, and that his honor do give such orders and instructions for the immediate erecting and garrisoning the same, as he shall think necessary for the purposes aforesaid. And the governor, or commander in chief of this colony, is hereby impowered, and desired to issue his warrant to the treasurer for the payment of so much money, as he shall think necessary for the purposes aforesaid, not exceeding the sum of one thousand pounds, who is hereby required to pay the same in treasury notes, to be emitted by virtue of the said act of Assembly, For raising the sum of twenty-five thousand pounds, for the better protection of the inhabitants on the frontiers of this colony, and for other purposes therein mentioned.

The erection of the fort was begun as soon after the above appropriation was made as possible. It was named by Washington Fort Loudon, in honor of the Earl of Loudon, who had succeeded Gen. Sherley in the command of the colonial forces. The location was admirably selected, commanding, as it does, a large extent of country. There was not an approach to it whereby any foe could gain its sides from any point, without being exposed to the rifles of those within the fort, which accounts for the fact that it never was attacked, there being no evidence, traditional or otherwise, that it ever was, although it is related that a French officer once reconnoitered it, but went away satisfied that it was impregnable, at least so far as any force that he could bring to bear against it. It was erected by the soldiers of the First Virginia Regiment, and Washington is said to have brought some workmen from Mount Vernon to construct the iron work necessary in some portions of it. It was about 125 feet in length on each of its four sides, square, and with a bastion at each corner. It was what is known as a field-work, or redoubt, with curtains ninety-six feet in length, the bastions projecting twenty-five feet and with faces twenty-five feet, set at angles against each other. It had a very deep well inside the walls, said originally to have been over 100 feet in depth, which still supplies as much water as is desired. It is cut



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through the solid limestone, and the water is almost as cold as ice. The fort when finished was well garrisoned, and mounted six eighteen-pounders, six twelve-pounders, six six-pounders, four swivels and two howitzers, a pretty formidable armament in that primitive time. This fine array of war-dogs convinced the Frenchman that whoever should attempt to take that fort would meet with a tolerably warm reception. In fact, the capture of that old fort, if it existed to-day, garrisoned with that old regiment of Virginia riflemen, commanded by a Washington, assisted by his able captains, would be a tough job even for any of our high-flying "Century-article-generals," with any but an overpowering force. Loudon Street, more than a century ago, was cut through the fort, and all that remains of it now is the southwestern bastion, fortunately preserved by the present proprietor of the property, although a cistern has been sunk into it. This old bastion looks grimly across to the earthworks on the hills to the westward, erected during the late war, and seems to say, after his sleep of one hundred and thirty-five years, "Who are you?"

History is continually repeating itself. A few years ago people were arrested and fined, or their licenses revoked for selling liquor to soldiers. Now here is an "instance" that is not so "modern." In the recorded proceedings of the justices on August 4, 1756, during the building of the fort, may be found this: "On the complaint of George Washington, Esq., against John Stuart, ordinary-keeper in Winchester, for entertaining soldiers contrary to order, the arguments of the parties being heard, it is ordered that the complaint be dismissed." Another entry reads: "On motion of John Lindsey for leave to renew his license to keep an ordinary, the motion being objected to by Col. George Washington, the arguments of the parties being heard, ordered that certificate be granted him and that his license be dated from May court, he having performed what the law directs and entered into bond, with Jacob Stickley his security."

The only difference between the freedom of twenty-five years ago and the tyrannical times of one hundred and thirty-five, is that the old justices did not propose to let the military overrun, or run the civil power, whilst our modern Washingtons had a way of handling refractory magistrates and judges that was at least effective, if not esthetic.

November 4, 1756, claims were laid before the court for public services by Cpts. Thomas Swearengen, William Cocks, John Funk,

Cornelius Ruddell and William Vance, on behalf of themselves and the detachments sent under their commands. Richard Thresher, asked pay for taking a deserter, and Jacob Sower, who kept a tavern, desired to be reimbursed for furnishing food, etc., to some soldiers. These bills were sent to the General Assembly. Complaint was lodged by Capt. Mercer, against a man and a woman for buying coats, etc., from soldiers of the Virginia regiment, contrary to law.

April 7, 1757, the court "ordered that the jailor suffer the prisoners to be in the jailor's house in the day time during the time the gaol is repairing, Col. Washington having agreed to place a guard for the better security of the prisoners." And here is an item that knocks the wind out of that little story, that Powell's Fort was so named from the fact of a man taking refuge in that curious valley and defying capture during the Revolution. The item was recorded almost twenty years before the colonies revolted: "May 3, 1757, John Funk is ordered to make list of tithables from Stony Creek down the North River to the mouth of Passage Run, including Powell's Fort, and all the waters of Cedar Creek." July 5, 1757, James Keith, who was afterward clerk of Frederick County, was admitted to practice at the bar, and on August 5, Andrew Mealey was paid for work done on the *county lots*. And here is a piece of information that clinches the fact that the father of his country resided here: "October 4, 1757, on motion of George Washington, Esq., ordered that his tithables be set on the list." The following item shows the state of affairs, even in the town of Winchester, with a strong, well-garrisoned fort to guard it: "October 5, 1757, James Wood, clerk, is granted the privilege of removing the county records to Fort Loudon, or any where else he may secure them from the imminent danger from the enemy." That was not the last time those ancient documents were removed for safety, but the Red Indian cut no figure in the latter case.

In December of 1756, the incursions of the Indians still increasing in frequency and boldness, Col. Washington drew up a paper on the military affairs of the province, which he transmitted to Lord Loudon, and in March, 1757, he attended a meeting in Philadelphia, where he was in consultation with several governors and principal officers. It was decided that the main efforts should be made on the Canada border, which Washington strenuously opposed, and recommended an expedition against Fort Duquesne. If those suggestions had been adopted the English would have saved the expense of an

entire year's military operations. From this conference, disgusted and disheartened at the policy of his superiors, and with a heart bowed down at the sufferings of the poor defenseless frontier settlers, who were butchered in cold blood almost within shadow of the forts, by the wily and relentless savages, whose mode of warfare, stealthy and silent, was difficult to cope with, so long as the French backed them with their aid and the safety of their forts when pressed to close quarters, Washington returned to Winchester and resumed his routine duties as the commandant of Fort Loudon.

The puerile policy, to say the least of it, of the military authorities of the colonies, due in large part to the influence of Gov. Dinwiddie, whose incompetency was well known, happily terminated by the sailing for the mother country in January, 1758, of that functionary, much to the satisfaction of Washington and the Virginians generally. Mr. Pitt having succeeded to the reins of government in England, and Hon. Francis Fauquier to the governorship of Virginia, it was resolved to prosecute the war against the French with energy. Gen. Forbes was appointed to the command of an expedition against Fort Duquesne. The force was divided into two regiments, the first division of 2,000 under Col. Washington, and the other under Col. Byrd. In July, Washington marched from Winchester to Fort Cumberland with the main portion of the Virginia troops. The whole force comprised about 6,000 troops, of all arms. Much time was consumed in preliminary arrangements by Gen. Forbes, particularly in the construction of a new road to Fort Duquesne. Washington advised a movement at once, and if his recommendations had been heeded an easy victory would have ensued, for it was afterward ascertained that only 800 soldiers were garrisoning the French fort at that time. The construction of a fort at Loyal Hanna also detained the expedition uselessly, for the English, had they pushed on, might have then been in charge of Fort Duquesne. Col. Boquet rashly detached Maj. Grant with 800 men to reconnoitre in the vicinity of the enemy. The French permitted Grant's party to approach them as near as they desired, when they rushed from the fort, soldiers and Indians, and attacked them from all sides, putting the English to flight, and with great slaughter. No quarter was given by the Indians, and Majors Grant and Lewis only saved their lives by surrendering to French officers. Maj. Lewis had come to the assistance of Grant upon hearing the firing in his front. He

left Capt. Bullett, with the baggage and fifty men in his rear, and it is owing to the extraordinary presence of mind and strategy of that officer that the entire force did not fall beneath the strokes of the tomahawk and scalping knives of the brutal savages. The situation of the retreating troops was desperate. In the enemy's country, far from any English settlement, surrounded and pursued by a bloody and vindictive foe, there was nothing left for them but to await capture and the tortures of the howling red demons. But the heroism of Capt. Bullett and his few men saved most of the retreating force. This officer on discovering the rout of the troops, sent the most valuable portion of the baggage to his rear, and arranged the remainder in the road so as to present as formidable an appearance as possible. He then posted his men behind this breastwork and made as great parade as he could by giving loud orders for the main force to hasten up. These preparations somewhat checked the advance of the eager Indians, but fearing that the enemy would shortly discover his false position, Capt. Bullett resolved to try a piece of strategy that could result in nothing worse than what would be their fate if they remained where they were. He ordered his men to march forward with reversed arms, as though about to surrender, which they did, and the savages ceased firing, feeling sure of their prey. When Bullett and his men had advanced to a position indicated previously, they threw up their rifles as quick as a flash and poured such a deadly volley into the surprised Indians that they fled in dismay, thinking that the whole English army was upon them. The Captain, taking advantage of this state of affairs, after gathering up the wounded, wisely fled in another direction with as much speed as the Indians. This gallant action of a provincial captain, one of the most remarkable pieces of strategy performed by any one in any age, emphasizes the fact that the Caucasian is the master race, and can beat the Indian or any similar savage at his own game.

After more consultation it was concluded to permit Washington to draw up a line of march to Fort Duquesne, which he did, and at his own request he was to be placed in the advance with 1,000 men. November having set in, it was resolved not to make any movement till the ensuing spring, but two deserters having been brought to camp, who related that the French garrison was weak, immediate measures were taken for an advance, and November 25, 1758, Fort Duquesne was in possession of Washington. Very little, however, of the fort

was left, but it was rebuilt and rechristened Fort Pitt, now Pittsburgh. The other French strongholds were soon in the possession of the English, and peace was declared. Washington in the meantime (fall of 1758) proceeded to Williamsburg, to take his seat as a member of the General Assembly from Frederick County, the people of this lower valley of the Shenandoah, comprising at that time what is now Frederick, Berkeley, Jefferson, Clark, Shenandoah, Morgan, Warren and Page Counties, having done themselves the splendid honor of electing that grand patriot and illustrious citizen to represent them. This same year Washington led to the altar the beautiful, accomplished and wealthy Mrs. Custis, and shortly after settled down to the life of a farmer of ease and culture, until the bugle blasts of his aroused countrymen called him forth from the shades of Mount Vernon to lead them in their contest for liberty and independence.

Washington ran three times in the county of Frederick for the House of Burgesses. The writer has in his possession the names of the candidates who ran with or opposed Washington, together with the names of every voter at those three elections, but space forbids the publication of the poll-lists in this connection; suffice it to say, that although these lists were obtained from an entirely different source from which the general matter herein contained emanates, yet there is scarcely a misspelling of a single name, when compared to the frequent appearance of the same names in the official records of Frederick County. G. Washington ran the first time in 1757 and was defeated, as will be seen by the following vote:

Hugh West, 271; Thomas Swearengen, 270; G. Washington, 40. The young man was snowed under that trip, but he had "staying qualities," as the horsemen say. It would not have been in accordance with the character of the man to let a first defeat clip his wings and send him ingloriously moping away at the ingratitude of politicians. Oh, no! That would not have been George; so two years hence he steps to the front and receives the reward of his indomitable perseverance, when somebody else is snowed under. Two of the candidates only could be elected, no matter how many ran. Here is the vote:

July 24, 1758.—G. Washington, 310; Col. T. B. Martin, 240; Hugh West, 199; Thomas Swearengen, 45.

Becoming still more popular, as the result shows, he ran again May 18, 1761, with the following result: G. Washington, 505; George Mercer, 399; Adam Stephen, 294.

There is a receipt in the possession of a citizen of Winchester, signed by the seller of a barrel of whisky to George Washington, in payment for said barrel, which was used during one of these elections. The future "father of his country" may have discovered between his defeat in 1757 and the election one year afterward, that it was necessary to "set 'em up" for the boys, and hence his increased popularity.

Peace having been restored, at least between the French and English, the colonists breathed freer, although for many years afterward the Indians committed numerous outrages upon the advanced settlements, and even making raids into the very heart of the valley, yet Winchester took a fresh start. Clerk Wood sold a number of lots, and various businesses sprang up. Philip Helphenstine, who was afterward a major in Col. Muhlenburg's regiment in the Revolutionary army, purchased a lot in the town, and resided here till his death. His lot was "No. 34, on the east side of Cameron Street, together with another containing five acres on the common." He paid £25 (\$125) for the whole outfit. Philip Bush, another Revolutionary soldier, who kept a tavern here during the French revolution, and who snubbed the crown prince, afterward Louis Phillippe, at his hostelry, and of whom more hereafter, was made overseer of Cameron Street. At the July court, 1758, John Greenfield was appointed overseer of the following streets: Loudon, Cameron and Piccadilly. Matters must have been progressing with fine strides, for the old records state that John Allen opened a tailor shop, and that Stephen Rollins was arrested for permitting gambling at his tavern; also John Stewart, inn-keeper, for permitting card-playing at his inn. A number of new licenses were issued to various parties to keep taverns; so that there could not have been at that early date, 1758, less than from twelve to fifteen establishments where liquor was sold, which places the modern Winchester, in quite a favorable light, morally, and shows that the present generation has not absorbed all the vice that ever existed.

As a sample of what was kept in stores at that date for the accommodation of the ladies who would go shopping on Braddock and Boscowen Streets, as they now do on Loudon any fine day, the following inventory of a portion of the stock of Alexander Cook, merchant, May 5, 1758, is given. These goods were attached and sold for debt: "One piece of flesh-colored broadcloth; a remnant of worsted damask; two remnants of shaloon; a remnant of buckram; a remnant of cheque;

two beaver hats; a remnant of calico; one piece of cotton truck; one piece brown fustion; one remnant of brown broadcloth; one scarlet mantle; a bundle of laces; sundry pieces of tape and bobbin and hanks of silk; some small necklaces; sundry small trifling goods; one old breasted saddle."

The county also began assuming airs, for at the March, 1758, sitting of the justices, that body ordered a silver seal to be made by William Miller, "about the size of an English half-crown, with the words *Frederick County* engraved thereon."* This outlay of the people's money, was no doubt thought to be justifiable, in consequence of the increase in population, for about this time the assessors, or tithable list takers, brought in their reports, which showed that there were in the entire region comprising Frederick County, extensive as it was, the grand total of 2,124 tithables!

James Wood, in September, 1758, obtained permission by an act of the General Assembly, to enlarge the town, a portion of which recites that "Whereas, by an act of assembly, made in the twenty-fifth year of his present majesty's reign, a town was established at Winchester, in the said county of Frederick, which daily increases in inhabitants, and James Wood of said county, gentleman, having laid off one hundred and six acres of his land, contiguous to the said town of Winchester, into lots and streets, hath petitioned," etc., for the same privileges granted the other portions of the town, "it is hereby granted," etc. The trustees named in the act were Lord Fairfax, James Wood, Thomas Bryan Martin, Lewis Stephens, Gabriel Jones, John Hite, John Dooe, Isaac Perkins, Robert Rutherford and Philip Bush. Several of these gentlemen were also interested in the town of Stephensburg, which was established at this date, and of which more here after. February, 1759, Lord Fairfax having made application to the General Assembly to put an addition to Winchester, that body authorized him to lay off 173 lots, to "be added to and made part of said town, and to enjoy the same rights, privileges, and immunities that the freeholders and inhabitants of the said Winchester do now enjoy."

During the summer of 1759 the small-pox made its appearance in Winchester and many deaths occurred from that terrible disease, and to such an extent did it rage, that the justices were compelled to apply for the privilege of adjourning to some other locality. The following

*This old seal is still in the possession of the county clerk of Frederick, is used now, and has been used ever since it was made, one hundred and thirty-two years ago.

minute of the proceedings tells the tale: "July 3, 1759.—A writ of adjournment was obtained from Gov. Fauquier which orders that the sheriff give public notice by advertisement that the court will be held in the town of Stephensburg during the time the small pox rageth in the town of Winchester." But the disease also extended to Stephensburg, whilst it must have abated, or disappeared, from Winchester by the fall months, for on October 3, "sundry of the inhabitants of the town of Winchester" made petition to the court for its return to that place, as the "small pox was raging at Stephensburgh," but it seems the court had no power to remove its seat of justice, that privilege being vested in His Excellency at Williamsburg, for no attention was paid to the petition, the court continuing to meet at the latter town till the following spring, or rather it adjourned from time to time, and did not hold sessions at all, for there are no records from October till February following (1760). On April 1, however, the justices petitioned the governor to order the court back to the court house at Winchester. May 6 the writ of adjournment was received, and the court has continued to meet where it now does till the present time.

Col. James Wood, the old clerk, who had seen the organization of the county in 1743, and who laid out Winchester that year, died during the winter of 1759-60, and at the court held February 5, 1760, Archibald Wager was appointed clerk by Deputy Secretary Nelson. Col. Wood left a son, James Wood, Jr., who, May 7, was appointed deputy clerk. He became one of the leading citizens of Frederick County, was a justice for a number of years, and served in the Revolution as colonel of a regiment which he was instrumental in raising. He also became a general in the Revolutionary Army, and in 1791 was elected governor of the Commonwealth of Virginia.

Archibald Wager only served as clerk about two years, for on May 4, 1762, James Keith produced a commission from the secretary of the colony, and Clerk Wager stepped down and out. Keith filled the position for many years, going along in the even tenor of his way during the Revolution, and far beyond, as though nothing unusual were happening. He changed his "Our Sovereign Lord the King" into "His Excellency the Governor of the Commonwealth of Virginia" with an ease that was as creditable to his patriotism as to his proficiency.

At November court, 1762, Daniel Bush, Robert Rutherford, George

Michael Laubinger and Robert Aldridge were appointed overseers of the streets in Winchester, in the room of Philip Bush, Godfrey Humbert, Bryan Bruin and Edward McGuire. The justices also "ordered that Charles Smith and Daniel Bush do agree with some one to finish the Ducking Stool." A porch was ordered to be built to the court house and "7,200 pounds of tobacco" was appropriated for that purpose. In connection with one of the names given above the writer hereof found between the leaves of one of the old record books an order for goods at a store in Winchester. It is written upon a small piece of paper, such as was used at that primitive day, is time-worn and looks decidedly ancient. It reads:

To Robert Rutherford, Esquire:

Sir, Please let the Bearer have credit to the am't of 25s. and charge the same to
Your Humble Servant's acct.,

Nov. 2, 1761.

HENRY HETH.

Henry Heth kept a tavern, where Washington mostly stayed whilst in Winchester, and Rutherford was one of, if not the first, merchants in the valley of Virginia. Thomas Edmonson, in 1764, kept a tavern in Winchester, and was in the same business as late as 1789, as his advertisement appears in a newspaper of that date. He kept opposite the Old Fort on Loudon Street. William Greenway, the maternal grandfather of Mr. William Greenway Russell, of Winchester, who is now ninety years of age, died in 1767. He came to America at the same time Lord Fairfax did, and knew Daniel Morgan well, they living in the same section of the county. November 1, 1768, Philip Pendleton was appointed deputy clerk of the court. At this date the titables had increased to 4,088, and in 1771, to 5,406. In this year the small-pox again broke out, and John McDonald and Humphrey Wells were permitted to practice "innoculation," that medical discovery having reached America not long before. William Gibbs, Isaac Hite and Andrew Waggoner were also permitted to practice the new process, but the justices doubtless thought there was a limit to the matter, and when Charles Mynn Thruston, Thomas Byran Martin, Feilding Lewis and Samuel Washington, all gentlemen of high station, applied for permission to inoculate their families, they were peremptorily refused and given to understand that they (the justices) did not consider the families of the petitioners in any danger, and to cap the climax, revoked the licenses of Drs. McDonald and Wells. Those old justices thought they knew a thing or two, and did not propose to let

anybody but themselves run this section of the valley, either judicially, socially, militarily or medically.

April 7, 1772, Angus McDonald and Edward McGuire were ordered to agree with some person to build a bridge over the run on Main Street, and December 10, 1773, Frederick Conrad was appointed overseer of Cameron Street, and the cross streets and back streets to the eastward of Cameron Street in Winchester, in the room of Philip Bush. The small-pox must again have broken out in Winchester, for in the spring of 1776 Angus McDonald was ordered to place a guard around the house in that town "where the small-pox is raging." Shortly afterward David Kennedy was paid £69 8s. 5d. for his trouble and expense in preventing the spread of the disease named, and another sum (£7 17s. 6d.) for allowance. The foregoing chapter contains all the matters of importance and items of interest that are now upon record in an authentic manner, in relation to Winchester up to the year 1776.

CHAPTER VII.

THE REVOLUTIONARY PERIOD AND MORGAN.

SOLDIERS OF THE VALLEY—CAUSES OF THE REVOLUTION—OPPRESSIONS OF THE MOTHER COUNTRY—BURSTING OF THE STORM—ORIGIN OF GENERAL DANIEL MORGAN: HIS BOYHOOD; AS A WAGONER; WHIPPED BY BRADDOCK'S ORDER; FIRST RECORDED MENTION; ARRESTED FOR ASSAULT; AS A FARMER; AS OVERSEER OF ROADS; HIS FIRST MILITARY APPOINTMENT; AS A CUSTODIAN; HIS FIRST COMMAND—THE FAMOUS VALLEY COMPANY—THE DUTCH MESS—STORMING OF QUEBEC—MUHLENBURG AND HELPHENSTINE—FIRST COURT UNDER THE NEW REGIME—THE QUAKERS—TAKING THE OATH—SARATOGA—COWPENS—COL. WILLIAM AUGUSTINE WASHINGTON—THE WHISKY INSURRECTION—MORGAN IN CONGRESS—HIS CHARACTER—HIS GRAVE—THE "STONEWALL" OF THE REVOLUTION.

THE Shenandoah Valley from the very first settlement of that delightful "garden spot," as it has frequently been called, has been known for its hardy, adventurous and brave population. It has always turned out, when the occasion demanded, its full quota of troops, and many of its sons have become famous in the annals of all the wars in which the country has been engaged. It has furnished not only thousands of the rank and file of the best soldiers who ever shouldered

musket or handled sabre, but has produced an array of leaders whose ability in warfare and whose name and fame may be found in the pages of history, and whose memories will live as long as courage and capacity shall have place as conspicuous virtues in the mind of man. In the very earliest contests with the wily and relentless savages, whose business was warfare and whose entire life was made up of bloody affrays, and the pursuit of wild animals, the pioneers of the valley were more than a match for them; they could conquer them on their own ground, and were never known to yield to the proudest warriors of the red race where they were not outnumbered, two or three to one. All praise is due to those hardy old heroes who came out from the midst of the comforts and even luxuries of civilization to build up and make blossom this beautiful valley, wherein their children and children's children might dwell in peace and plenty, surrounded by smiling fields and lowing herds. Too much praise cannot be given—too much honor cannot be paid—to the old pioneer who, with his rifle on his shoulder and ax in hand, shot and hewed his way through heart of savage as well as heart of oak, to the wilderness, which soon gave token of his presence by the curling column of smoke from his cabin chimney and the ringing strokes of his keen-edged ax. The true lover of the grand and great can never pass the grave of one of those sturdy old henchmen of civilization without lifting his hat to, or dropping a tear upon, the mouldering dust that covers his last resting place.

In the French and Indian wars the valley furnished the most of the soldiers who fought upon the Ohio, and were principally influential under the gallant young Virginian—WASHINGTON—in bringing to a victorious close that disastrous struggle, and even after a famous English general, backed by experienced English regulars, had been ignominiously defeated, put to flight and killed. It may be supposed, therefore, if she would send her young men to the front for kings and the upholding of royalty, that the valley would not be behind when the tocsin of war sounded for "liberty and independence," and nobly did she respond to the call—gallantly did she uphold her ancient prestige.

It is not within the compass of this work to go into the details of the Revolutionary war, but merely to touch upon such facts as are connected with the lower valley, inclusive, of course, of those who took an active part therein; whose names have been preserved from the

ravages of time and forgetfulness, yet a few of the causes leading up to that important internecine struggle may not be uninteresting.

From the earliest settlements in America to the period of the Revolution, the parent country, so far as her own unsettled state would permit, pursued toward those settlements a course of direct oppression. She simply held possession of the country through what she claimed as the "right of discovery," and had precisely the same reason to so claim it as the Indians would have had to claim the British Isles if they had sailed across the ocean in their birch canoes, and, landing on the coast of England, set up their wigwams at Liverpool and cut a "tomahawk right" on the buildings from that city to London, and so on down to Dover and up to Edinburgh and Cork. She paid not a penny to the aborigines for their land, but hundreds of thousands of pounds were expended from the private purses of the colonists in payment for their estates. True, the generous monarchs made large grants to favorites, but they gave away that which did not belong to them. Without the enterprise to establish colonies herself, she was ready, in the very dawn of their existence, to claim them as her legitimate possessions, and to prescribe in almost every minute particular the policy they should pursue. No sooner did the colonies, emerging from the feebleness and poverty of their incipient state, begin to direct their attention to commerce and manufactures than they were subjected by the parent country to many vexatious regulations, which seemed to indicate that with regard to those subjects they were expected to follow that line of policy which she, in her wisdom, should mark out for them. At every indication of colonial prosperity the complaints of the commercial and the manufacturing interests in Great Britain were loud and clamorous, and demands were made upon the government to correct the evil, and to keep the colonies in due subjection. "Keep them down," said the English manufacturers, "they will soon be our formidable rivals; they are already setting up manufactures, and they will soon set up for independence." English writers vied with each other in insisting on the crown preventing the building of ships and engaging in the fisheries' trade by the colonists. One writer, Dr. Davenant, said, "Colonies are a strength to the mother country while they are under good *discipline*, but otherwise they are worse than useless, being like offensive arms lopped from the nation, to be turned against it, as occasion may require." Acts were passed restricting trade with the colonies to English-built vessels, belonging

to subjects of England. They even limited the import trade. They were deprived of seeking the best markets for their products, and were taxed heavily on nearly all goods sent *from* the colonies. The New England provinces were making serious inroads on the trade from England, and a law was passed prohibiting (to mention one article) hats being sent out of the colonies to foreign countries, or even from one colony to another. Ship loads of convicts were vomited upon the shores of the helpless colonies, and their rights were trampled upon in a thousand ways. In 1750 parliament prohibited the erection or continuance of any "*mill, or other engine for slitting or rolling iron, or any plating forge to work with a tilt hammer, or any furnace for making steel, in the colonies under the penalty of two hundred pounds.*" Moreover, such mills, etc., were declared *common nuisances* and must be abated by the governors of the colonies. These were strokes at Pennsylvania and Virginia, as the above were strokes at the New England provinces. Is it any wonder, then, that when, in addition to those oppressive laws, the infamous "stamp act" was hurled into the teeth of the long-suffering colonists, and troops were garrisoning Boston harbor to watch and spy out any infraction of his majesty's mandates and to promptly suppress any outcroppings of freedom, that the storm burst forth with a fury that was then beyond the control of powerful England to abate, and that shortly swept in its rage every vestige of royalty and its accompanying injustice from out the entire thirteen colonies!

The volcano having at last shot into flame, the colonists at once sprang to arms, and although 600 miles intervened between them and the initial scene of the conflict, yet the Lower Shenandoah Valley raised, equipped and sent forward to Washington at Boston two of the first companies to reach that illustrious leader. One of those companies was in command of a man whose history is so wonderful, and yet so little known, that he merits special mention in these pages. This man was DANIEL MORGAN, and although biographies almost without number have been written of that famous leader, yet not a single writer of those works, it is safe to say, has ever examined the records of the county in which he lived and died, and where only exist anything in regard to his ante-Revolutionary life. The writer hereof has examined the pages of the old order books of the justices of Frederick County from 1743 onward, and is gratified to state that he has found the first extant recorded mention, with a number of others, all showing

the character, habits, mode of life and gradual evolution from obscurity to honor and fame, of the noted general whose presence and whose stentorian voice filled his soldiers with patriotic valor and carried consternation into the ranks of his enemy. But before giving this recorded history of Morgan, some interesting facts in regard to his origin and early life will be mentioned.

Mr. William G. Russell, who was born in Winchester in the year 1800, and who is, consequently, about ninety years of age, whose faculties are well preserved and who is and has been a man of acute observation, has furnished the writer considerable information on many points, both from hearsay and personal knowledge, and among other things says that his grandmother Greenway knew Daniel Morgan when he was a boy, and that she had often talked about him. William Greenway was the husband of this lady, and it is said came to this country from Scotland with Lord Fairfax. Mrs. Greenway lived near what is now the little village of Nineveh, now in Warren County, and she said that Daniel Morgan's father also lived near that place. The family consisted of the father, mother, a sister older than Daniel, and Daniel himself. Mrs. Greenway had often been to the house, and said that the elder Morgan was a quiet, silent-dispositioned man; that he had a small farm and also a distillery. No one knew definitely where the Morgans came from, but it seemed to be the impression that they had emigrated from New Jersey. "He was a large, good-natured lad," Mrs. Greenway said of Daniel, and although not over fond of work, yet when he set about it, could do as much almost as two young fellows of his age, and although not particularly quarrelsome, seemed to be in his element when he did get into a fracas, and was never known to get the worst in a fight, except where they doubled or trebled him, as appears from a case on the old records where he has three men, evidently brothers, arrested for assault and battery upon himself. His assailants were named Davis. As he grew up he worked at anything on the plantations where he could get employment, and by the time he was twenty years old was a wagoner, and it is thought, although there is no authentic information in regard to the matter, that he was with Braddock as a driver of pack-horses or of a wagon in the celebrated defeat. But it is more than likely that he was one of the obscure privates in one of the companies that accompanied the unfortunate general and his regulars, and may have been one of those brave

militiamen who saved the army from entire annihilation. This idea is more in consonance with the character of Daniel Morgan, for he was just twenty years old at the time, a hardy, brave adventurous spirit, an expert rifleman, and just the kind of a young fellow, as his course afterward exhibited, to be the first to enlist in any hazardous undertaking. In connection with his supposed service under Braddock tradition relates, and Howe repeats, a story of his being whipped, thus: "Morgan had charge of wagons transporting baggage. An officer came out and asked him why the wagons were not ready for the march. He replied that he had been delayed, but would have them ready as soon as possible. The officer replied if he did not hurry he would run him through with his sword. Morgan gave a tart reply, and the other fell into a passion and made a lunge at him with his sword. The latter parried the blow with a heavy wagon whip, broke the sword and gave the officer a severe drubbing. A court-martial sentenced him to receive five hundred lashes. After receiving four hundred and fifty of them Morgan fainted, and was allowed to go free. The officer, afterward becoming convinced of his error, asked Morgan's pardon." Morgan is also made the hero of several fights and skirmishes with Indians about this time, 1755 to 1757, which may be true, but there is no evidence extant at this date to confirm them.

One of the first items among the proceedings of the court of justices for Frederick County held May 3, 1758, is the following case:

THOMAS CONNER

vs.

DANIEL MORGAN.

In Tresp.-Ass't & Batt'y.

The Deft. being arrested and failing to appear, judgement is granted against him, and Elijah Isaacs, his bail, for what damages the Pltf. hath sustained, unless the said Deft. appear at next court and answer the said action.

This is, undoubtedly, the first recorded mention of that redoubtable soldier—that "thunderbolt of war"—the famous Revolutionary patriot, GENERAL DANIEL MORGAN. He was then twenty-three years of age and was noted as an athlete, a boxer and a wrestler. It is altogether probable that he frequented Winchester a great deal, as it doubtless afforded him employment in teaming goods from Pennsylvania and Maryland to that incipient city. He was over six feet in height, splendidly built, wonderfully agile and as strong as it was possible for a man of his magnificent proportions to be, whilst he had no more conception of fear than a lion. Just what Mr. Thomas Conner,

the plaintiff in the above case, did to raise the ire of that brawny, double-fisted giant, is difficult guess-work at this late day, but it is easy to imagine the result, if Daniel did his work as well then as he afterward did on the braggart Tarleton at the Cowpens.

For several years succeeding the last date Morgan figures as defendant in numerous cases of assault and battery, but in nearly every instance the case is dismissed; in one or two, however, he is fined pretty heavily. He only appears once as plaintiff in any suit. This was against William, John and George Davis, for assaulting him. These parties were doubtless brothers, and as they, possibly, could not handle the stalwart fellow singly, all three of them went at him.

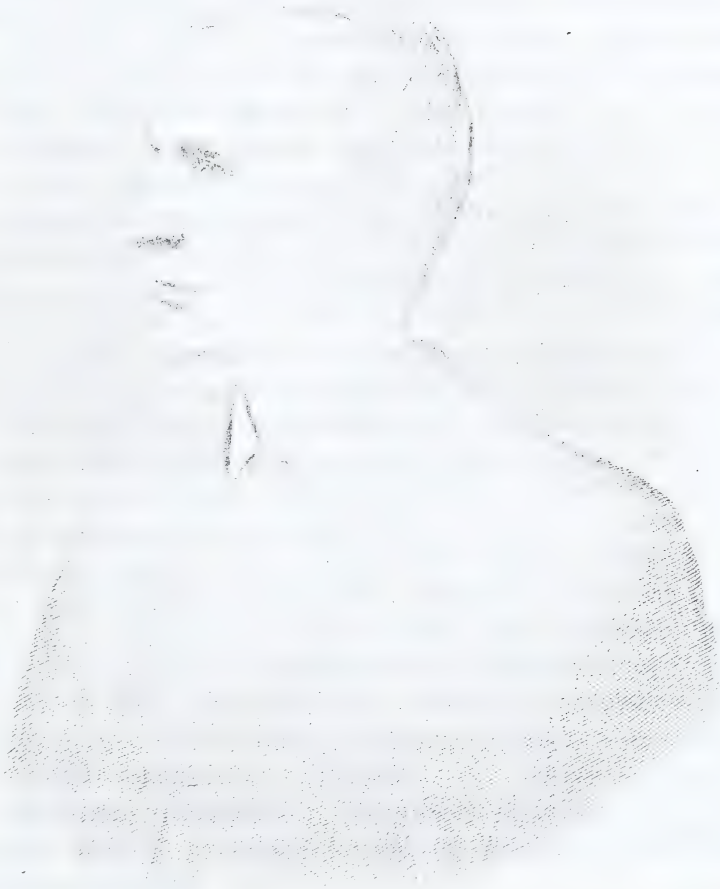
But he seems to be emerging from his "wild oats" state, for after 1764-65 no more suits are recorded against him, and in place of those disgraceful items is to be found the following, in the proceedings of the justices, November 4, 1766: "Ordained that Daniel Morgan be overseer of the road from Combs' Ferry to the forks leading in to Winchester." In the meantime he became possessed of a farm, possibly by the death of his father, for on July 7, 1767, he obtained the receipt of a constable for 728 pounds of hemp raised by himself, the county paying a premium on that commodity to encourage its production. November 7, 1770, he is still further recognized as a citizen worthy of filling a public trust, for it must be remembered that at the date named, and to the present time, for that matter, none but good and true men were selected as overseers of roads. This entry tells the tale: "Ordered that Daniel Morgan be overseer of the road from Cunningham's chapel to Lord Fairfax's." Now this was an important road, for it led from the residence of his lordship to the house of worship wherein he would weekly make his peace with his maker; so Daniel was selected, as Lord Thomas doubtless knew from his experience as chief of the justices, that whatever Morgan attempted to do he always did well.

But here are two entries in the old records that bore wonderful fruit:

"May 7, 1771. Col. Samuel Washington having been commissioned colonel of the militia of Frederick County, appeared before the Justices and took the usual oaths of allegiance to his majesty's person and government."

And three days after this entry appears the following:

"May 10, 1771.—Daniel Morgan having been summoned, appeared



W. B. Baker

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before the Justices and took the usual oaths to his majesty's person and government and was sworn Captain in the militia of Frederick County."

This is the starting point in the military career of Gen. Morgan, whose qualities must have been known to Col. Washington, that he should have selected him as one of his captains, over the many ambitious young men of his own grade in society, for it must be remembered that the station of the wealthy and influential Washingtons of the valley was quite different from that occupied by the obscure Daniel Morgan. And what a source of infinite pride it must have been to this afterward distinguished colonel to reflect that he had been the first to recognize the abilities of this great commander when but an humble farmer over yonder near the brawling Shenandoah.

As an evidence of the acknowledged determination, physical power, and skill in dealing with dangerous characters, the following minute is given from the court proceedings of September 10, 1773, from which it appears that a noted criminal had escaped from Maryland, had taken refuge in the valley, and had been recaptured: "It is ordered that Daniel Morgan carry Timothy Ragan, a felon, who broke the gaol of Anne Arundel Co., Md., and deliver him to the sheriff of said county, and bring in his account of expenses at laying of the parish levy." At the laying of the levy the following month he was paid the sum of £6 2s. 8d. Morgan in this same year is shown to be the possessor of not only a farm, but the owner of a number of slaves, as his name figures in a document on record wherein is recited among other property, "several of my negroes," and his identity appears for the last time in the colonial county records in a suit for £60 instituted by "Cochrane & Co., plaintiffs, against Morgan and others, defendants." This was in March, 1774. The next year, fall of 1775, he raised his famous company of riflemen, and marched to the front.

Washington, having been made commander-in-chief of the American army, and receiving his commission June 15, 1775, immediately set about organizing order out of the chaos that existed throughout the colonies. He repaired to Boston and called for troops to come to that point, armed and equipped, if possible. Capt. Daniel Morgan, as soon as he learned the need of the commander, applied for a commission to serve in the Continental army, and upon its receipt, in ten days thereafter, he attracted to himself a company of ninety-six young

and enthusiastic men. No leader ever headed braver soldiers; his very presence commanded obedience and respect, for his men saw in their captain one upon whom they could rely. Their rendezvous was Winchester for most of them, but others joined him on the way to the Potomac and at the first halting place for the night. The company was officered as follows: Captain, Daniel Morgan; first lieutenant, John Humphrey; second lieutenant, William Heth; first sergeant, George Porterfield. Among those whose names are preserved as belonging to the company as privates are: George Greenway, William Greenway, Seth Stratton, John Schultz, Jacob Sperry, Peter Lauck, Simon Lauck, Frederick Kurtz, Adam Kurtz, Charles Grim, George Heiskell, Robert Anderson, William Ball and Mark Hays. Six of these formed what has been known as the *Dutch Mess*. They were all Germans and messed together during the entire war, and singular to say, not one of them met with any disaster during all their severe campaigns with Morgan, and several of them lived to a great age. The descendants of all of them are among the most respected citizens of the valley, several of whom were gallant soldiers in all the wars in which this country has been engaged since their honored ancestors trod the snows of Quebec and went south with Morgan. The names of the six were, according to Mr. W. G. Russell, who personally knew several of them: Peter Lauck, Simon Lauck, Frederick Kurtz, John Schultz, Charles Grim and Jacob Sperry. This company, on foot and accompanied by one wagon, left Winchester July 14, 1775, and camped the first night at the spring on the plantation of Col. William Morgan, grandfather of Col. William A. Morgan, near Shepherdstown. Pursuing their way the next morning, they arrived at Cambridge, Mass., August 7, and were received by the soldiers already collected there with demonstrations of the wildest joy, for it gave them to understand that even away off, six hundred miles, in the valley of Virginia, the fires of freedom burned as fiercely as it did right in the midst of English injustice and invasion. It is also said that when Washington saw Morgan's company, travel-stained and almost worn out with fatigue, and recognized a number of them, he was overcome by his feelings and wept as he took them by the hand. After a short rest the company was ordered to join the army of Arnold in its invasion of Canada. Arriving in the vicinity of Quebec, Capt. Morgan reported to Gen. Montgomery. It was in December, and the intense cold caused great suffering to the Americans. The English garrison consisted

of about 1,500 well-fed, well-clothed and well-protected troops, whilst the force of Montgomery numbered only 800. Having divided this small array into four detachments, the General ordered two feints to be made against the upper town. On the 31st of December, 1775, at 4 o'clock in the morning, in the midst of a heavy snow storm, the columns were put in motion. Montgomery, with his detachment of 200, passed the first barrier, but when attacking the second was killed, and his division fell back. Arnold, being severely wounded, was carried off the field, yet his party, placed under the command of Capt. Morgan, contended against the works for over three hours, until overpowered by superior numbers they were forced to surrender. One hundred of the Americans were killed and three hundred taken prisoners, including Morgan. This virtually ended the Canadian campaign, the death of Montgomery having a very depressing effect upon his army.

Morgan, who in the meantime had been promoted to the position of major in his regiment, after nearly five months' captivity, returned to the Northern army and was advanced to a colonelcy. Rev. Peter Muhlenburg, a clergyman, who had gone with Morgan's company as chaplain, at the storming of Quebec threw off his ministerial robes and fought by the side of his captain. This "fighting parson," as he was frequently called by his friends, being captured with his command, returned, upon his release, and raised a regiment, he having been commissioned colonel of the Eighth Virginia; his lieutenant-colonel was Abraham Bowman, and his major, Peter Helphenstine, of Winchester. This regiment was ordered to Charleston, S. C., where they arrived on June 24, 1776, having covered the entire distance on foot and without a tent. After the battle of Charleston, Muhlenburg returned to the valley, filled up his decimated ranks and went north and joined Washington. The southern climate made sad havoc in Muhlenburg's regiment, and many of the men died. Maj. Helphenstine was one of the victims, and died in Winchester in the fall of 1776. Upon his arrival at the northern field of action, Muhlenburg was made a brigadier-general, and Bowman, colonel.

During all these commotions the wheels of government were moving along as smoothly in the valley districts as though war was an affair of small moment, and only for a short time were the proceedings of the justices interrupted during the transition from monarchy to republicanism. May 7, 1776, a short session was held, and that was the

last under the patronage of "Our Sovereign Lord George III, by the Grace of God, King, etc.," for the next was held "by the grace of God" under the influence of another George, who had Washington to his name. There was no session of the court in June or July, but August 6, 1776, that body convened, under the new regime, the glorious "Commonwealth of Virginia," and the following are the proceedings:

"Present: John Hite, Isaac Hite, Charles Mynn Thruston, John McDonald, John Smith, Edmund Taylor.

"An ordinance of the Honorable, the Convention of the Commonwealth of Virginia, directing that the different members named in the former Commission of the Peace, should continue to act in the said office upon their taking the oath prescribed in the said ordinance, Whereupon Isaac Hite and Charles Mynn Thruston administered the oath to John Hite, who took and subscribed the same, and then the said John Hite administered the said oath to all the aforesaid members, who took the same as Justices of the said Commonwealth.

"James Keith took the oath as Clerk of the Court.

"Henry Peyton, Jr., took the oath as Deputy Clerk of the Court.

"Angus McDonald took the oath as Sheriff.

"Nathaniel Cartmell, Jr., took the oath as Deputy Sheriff.

"Gabriel Jones, Alexander White, George Roots, Dolphin Drew, John Magill and Henry Peyton, Jr., took the oath as attorneys."

These are the old patriots who stepped up in those trying times and "showed their colors." His lordship of Fairfax failed to respond, although he was at the head of the justices; but let us not be too hard on the old gentleman, for it must be remembered that he was raised under the wing of royalty, had received his wealth and station from kings, was nearly ninety years of age and was nearing his last days upon earth, and it was hard for him to cut loose from his ancient moorings and join a cause that must have seemed to him extremely hopeless of success. Yet, with all his rooted and preconceived principles of the divine right of kings, and all his wealth, he never was known to throw a straw in the onward path of American liberty. And when he heard of the triumph of Washington at Yorktown and the downfall of English rule in the colonies, he simply remarked that it was time for him to die, went to bed, and never arose again therefrom.

At the next court Isaac Zane came forward and subscribed to the oath as a justice. The following also appears as a portion of the proceedings:

"Ordered, That Marquis Calmes, Robert Wood, William Gibbs, Philip Bush, Robert White, Joseph Holmes, Thomas Helm, Edward McGuire, and Edward Smith, be recommended to His Excellency the Governor of the Commonwealth of Virginia, as proper persons to be added to the Commission of the Peace, for this county, and that it be certified that Charles Smith, one of the members in the commission, is dead; William Booth refused to swear in, and desired to be left out; Warner Washington, Jr., after he did swear in, did not chuse to act and desired to be left out; and that Thomas Bryan Martin never did swear in to the said commission."

They seemed to be hunting the Tories in this section at a pretty lively gait; a number of arrests occurred and among such cases was that of Samuel Glenn. At November court this individual was brought before the justices, held in the sum of £100, and committed to the gaol until he could obtain security therefor, for "using language inimical to the liberties of America."

February 4, 1777, Col. James Wood, son of James Wood, who died in 1760, handed in his resignation to the justices as lieutenant-colonel of the militia, to accept the commission of colonel in the Continental army, and John Smith, one of the justices, was appointed in his place. Col. Wood raised his regiment in the lower valley, and marched northward to join Washington. Dr. C. T. Magill and Henry Beattie were also officers in the Continental army from Winchester. Beattie was afterward a colonel in the war of 1812. At this time Virginia had, in addition to those in the regular Continental army, nine regiments, of which the lower valley furnished a large proportion. The official reports of Frederick County showed in 1777 only 923 effective militia.

During the spring of 1777, the military authorities of Pennsylvania gained possession of some documents implicating a number of prominent Quakers of Philadelphia and elsewhere in designs inimical to the cause for which the colonies were giving so much of their best blood on the many fields of contest, and after investigation and full legal enactments and processes, the following persons were arrested: Joshua Fisher, Abel James, James Pemberton, Henry Drinker, Israel Pemberton, John Pemberton, John James, Samuel Pleasants, Thomas Wharton and Thomas and Samuel Fisher. These persons, with a number of others were ordered, unless they would consent to swear or affirm allegiance to the State of Pennsylvania, to be transported to Staunton, Va., and there held under surveillance. The order of des-

tionation was quite complimentary to the patriotism of the valley of Virginia, as the authorities must have felt that the hardy sons of the tramontane regions of the Old Commonwealth were able to keep in restraint those Tory gentlemen. Accordingly about fourteen persons, including those named, were forwarded to the Valley, but their destination was changed to Winchester. Col. John Smith, county lieutenant, received them and offered to give them parole, if they would promise not to escape from his jurisdiction, but they refused. They said they had protested against being taken from their homes; that they had protested at the Maryland boundary; that they had protested at the Virginia boundary, and now protested at being treated as criminals. Col. Smith listened to these repeated protests and replied: "It is true that I know of no law which will justify your detention, but as you are sent to my care by the supreme executive of your own State, and represented as dangerous characters, and as having been engaged in treasonable practices, I consider it my duty to detain you, at least until I can send to the governor of Virginia for his advice and direction in the matter." Tradition relates that the old colonel made an additional side remark to the effect that if he had his way that he would hang the whole lot without judge or jury. He once more repeated to them that if they would simply pledge themselves not to abscond that he would not confine them, but they again refused, and were at once placed under guard. They were confined along with the Hessian prisoners, some 300 of whom were at the time being held in a building that is standing to this day in the southern portion of Winchester. About nine months after these parties had remained in confinement here, they were released through the instrumentality of Alexander White, a lawyer, but not until the British had left Philadelphia. Several of them died during their imprisonment. This action of the Quakers during the Revolution left a stigma on that faith which lasted many years succeeding that struggle, and, indeed, traces of it may still be found, but now very rarely. It was looked upon by the Americans as an extremely singular position for the Quakers to assume, as that sect had been an object of particular persecution by the English government, their very presence in the colonies at one time being punishable by death.

The justices were bound to ascertain the sentiments of those within their bailiwick, at least as far as the administration of an oath could solve that problem, for the proceedings of a court held September 3, 1777, gives the following:

"Ordered, that Edward McGuire, gent., is appointed to administer the oath of Fidelity, prescribed by law, to the inhabitants of Winchester, pursuant to the directions of an act of General Assembly in that case made and provided.

"Thomas Helm, for the same purpose, in the Districts of Captains Barrett, Ball and McKinney.

"Joseph Holmes, in the Districts of Captains Gilkerson, Niswanger and Barron.

"Robert Throckmorton, in the Districts of Captains Wilson and Longacre.

"William Gibbs, in the Districts of Captains Reynolds and Baldwin. .

"Robert White, in the Districts of Captains Babb and Rinker.

"Edmund Taylor, in the Districts of Captains Farron and Catlett.

"John Hite, in the District of Captain Helm."

It is astonishing how history so often repeats itself. This little process of "taking the oath" is no doubt very vivid in the minds of many people hereabout; and especially along the border, where the contending forces alternately held possession, did this practice most obtain. And it was said, by some irreverent scribe at the beginning of the late war, that a prominent general at Washington "took the oath" every morning before breakfast as an appetizer.

To return to Morgan: That skillful and dashing officer, after his release from Canadian prison life, was ordered to select a regiment of riflemen and join the force under the command of General Gates, who was gradually, but certainly, encompassing the downfall of Burgoyne, and it is claimed that the rifles of the Virginians under the careful manipulation of their fearless and determined leader helped very materially in bringing about a result that was felt throughout the whole colonies and shortened the strife by a year or two, for it took from active service a large army of England's best soldiers. The capitulation to the victorious Gates and his able supporters at Saratoga, included 5,790, of all ranks; which number, added to the killed, wounded and prisoners lost by the royal army during the preceding part of the expedition, made, altogether, upward of 10,000 men, an advantage rendered still more important to the captors, by the acquisition of thirty-five brass field pieces, and nearly 5,000 muskets. The regular troops in Gates' army were 9,000, and the militia 4,000; 2,000, however, were sick or on furlough. Col. Morgan, for his

superior military ability displayed in this very decisive battle and his conspicuous bravery, was promoted to the rank of brigadier-general and joined the standard of Washington, near Philadelphia, where he further greatly distinguished himself in his operations against the English, by means of his regiment of unerring sharpshooters. A large number of the prisoners taken in the engagement with Burgoyne's army, were sent to Winchester, so that in 1780 a barracks was erected for them about four miles west of the town. They numbered about 1,600 in 1781.

The reduction of the cities of Savannah and Charleston so encouraged the English commander that he determined to make the subjugation of the southern colonies, at least, complete, and an advance into the interior of North Carolina was decided upon. The American commander-in-chief, being advised of these movements, relieved Gen. Gates from the command of the southern army, and appointed in his stead Gen. Greene, an officer in whose ability, fortitude and integrity, from a long and intimate acquaintance, he had the utmost confidence. The day upon which Greene took charge of the army at Charlotte, he was informed of a gallant exploit performed by Col. Washington, of Morgan's command. Being on a foraging expedition, this active officer came upon one of the strong-holds of the royalists (Tories) near Camden. These traitors to their countrymen, 100 strong, were entrenched in a block-house, with an abattis, and could have defied Washington's little scouting party; but the ingenious colonel advanced with great display toward the enemy, and planted with deliberation a blackened log, mounted on wheels and resembling a cannon, so as to rake the block-house, and then coolly demanded a surrender. Dreading a cannonade in so confined quarters, the garrison marched out and laid down their arms.

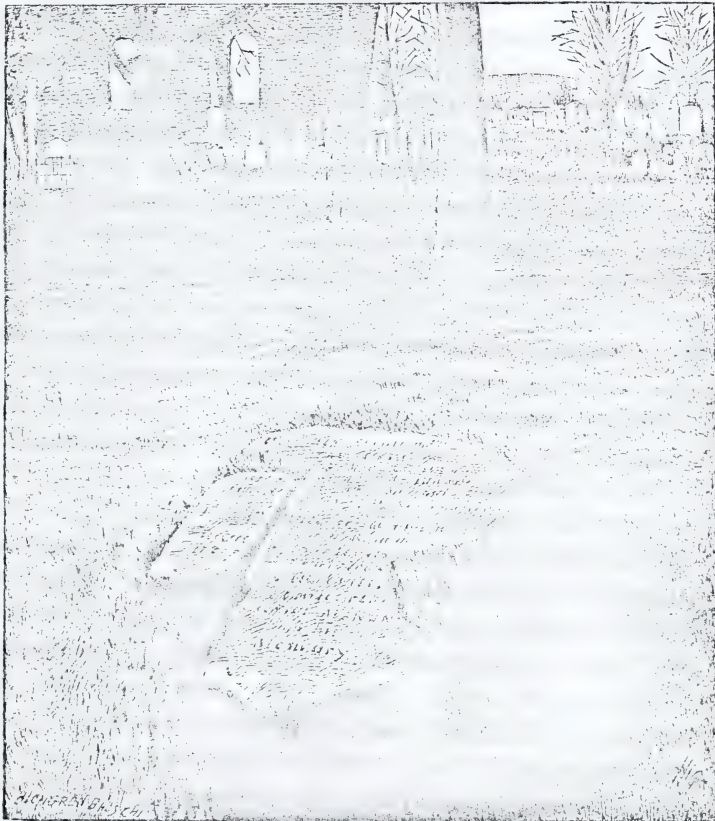
The patriot army in the south was in a very weak condition; there being scarcely 3,000, all told, fit for service; but this force was divided by the commander, and a detachment under Maj.-Gen. Daniel Morgan was sent into the district of Ninety-Six, in the western district of South Carolina. Cornwallis being at this time far advanced in his preparations for the invasion of North Carolina, could not, consistently with the rules of war, leave an enemy in his rear; so he dispatched Col. Tarleton, who had the reputation of being a dashing and able young officer, but withal, an incautious and inordinately vain one, and whose contempt for Morgan and his militia was complete, to

pursue that officer and "push him to the utmost." Tarleton had two field pieces, a superiority of infantry in the proportion of five to four, and of cavalry, of three to one, against Morgan's five hundred; in all, the British commander had over 1,100 men. It is said that Tarleton was warned by a Tory colonel, who knew Gen. Morgan and his methods of warfare, to beware of how he approached that officer, "that he had never been whipped, and that he would be hard to capture;" but the pompous colonel only snapped his fingers, as though he would say, "the old wagoner and his raw militia would hardly be a breakfast bite for him." So, with the advantage in numbers and equipment, the gay Tarleton, at a place called the Cowpens, in South Carolina, on the 17th of January, 1781, attacked Gen. Morgan with the expectation of driving him out of the State, or annihilating his force. But the impetuosity of Tarleton, which had gained him high reputation when he had surprised an incautious enemy, or attacked panic-stricken militia, was at this time the occasion of his ruin. Impatient of delay, he went into the engagement with his men fatigued by marching, and without properly forming them, or the reserve had taken its ground, relying upon what he deemed his superiority in military tactics; but he had a general to deal with who could be a fox at one moment and a wolf the next, and so it proved. Awaiting the proper moment, with everything in readiness, when the time arrived the old valley wagoner and his five hundred rushed upon the enemy with such impetuosity and havoc that they sent them reeling and in dismay back upon their baggage, and what were not killed or captured fled in confusion to Charleston. It was one of the severest conflicts of the war. The English lost 300 men killed and wounded, besides 500 prisoners, and all their artillery, ammunition and baggage. The Americans had only twelve killed and sixty wounded, a result almost unprecedented in the annals of warfare of all time. Gen. Morgan was ably supported, as has heretofore been stated, by Col. William Augustine Washington, and one can imagine the hearty hand-shake of the rough old war-dog and his gallant colonel after the capture of Tarleton's army and the flight of that doughty English officer. An anecdote is related that is said to have occurred at Charleston, after Col. Tarleton had reached that city. This officer, who, even after his disastrous defeat, affected to look down upon the Virginia militia under Morgan, remarked to some ladies, who knew the handsome and dashing Col. Washington, "I would be very glad

to get a sight of this Col. Washington, whom you think so brilliant, and of whom I have heard so much." "Had you looked behind you, Colonel, at the battle of Cowpens," replied one of the ladies, "you might easily have enjoyed that pleasure."

After his victory Morgan moved off to Virginia with his prisoners, but the chagrin of Cornwallis at the defeat of his favorite officer, Tarleton, urged that general to renewed exertions, and he endeavored to cut off the retreat of the victor and his spoils. General Greene also took a hand in the business and effectually checkmated the English commander by getting in between him and Morgan with the prisoners. Suffice it to say, the latter got off safely, and some time afterward, obtaining relief from duty for awhile, retired to his plantation, "Saratoga," so named in honor of the battle in which he had taken so active a part. His residence is said to have been built by Hessian prisoners. Not long after the escape of Morgan to Frederick County with the prisoners taken at Cowpens, it was rumored that Tarleton was approaching to attempt their capture, when Col. Smith ordered out the militia and removed the Hessians and others confined near Winchester to Fort Frederick in Washington County, Maryland. While Morgan was reposing on his well-earned laurels at his home, he was requested by the county lieutenant of Frederick to head a party for the suppression of a nest of Tories across in the adjoining County of Hardy, and, accompanied by two or three hundred of the militia of Berkeley, Shenandoah and Frederick, adopted such measures in his treatment of those malcontents as to utterly squelch them and they were never afterward heard of as Tories. Morgan's last military operations were in 1794, in connection with what is known as the "Whisky Insurrection" in Western Pennsylvania. A tax had been laid upon distilled spirits, and the producers of that article deeming it unjust to them, they being farmers and using all their grain for distilling purposes, whilst those who raised grain for other uses were not required to pay tax, resolved to resist the measure. They (the distillers) committed a number of outrages on the collectors of the revenue, and to such extent were the disturbances growing that the general government was compelled to take a hand in the matter. Accordingly, Gov. Mifflin of Pennsylvania, Gov. Howell of New Jersey, Gov. Lee of Maryland and Gen. Daniel Morgan, all under the command of "Light Horse" Harry Lee of Virginia, with their respective forces, marched for the scene of action, but before they

arrived on any "bloody field," the rag-tag and bob-tailed insurgents thought discretion the better part of valor and submitted to the inevitable. Washington is said to have remarked to Morgan, that it must have been a very arduous campaign to walk up hill and down again.



GRAVE OF GEN. DANIEL MORGAN, WINCHESTER, VA.

Shortly after returning from his first trip to quell the Pennsylvania distillers Morgan ran for Congress and was defeated, his competitor being Robert Rutherford. He ran again, two years later, and this time was successful. Becoming infirm with age and an extremely active life, he moved to Winchester in 1800 and resided with his youngest daughter, Mrs. Heard. He had married about 1762, Miss Abigail Bailey, whose parents lived on the Blue Ridge, above what

was known as Combs' Ferry on the Shenandoah River, east of Winchester. Morgan had two daughters, the elder, Nancy, who married Col. Presley Neville, and the other, Betsey, who married Maj. James Heard, both Revolutionary soldiers, and at the house of the latter the old general died, July 6, 1802.

The historian, Sparks, has said of Morgan: "In person he was of imposing appearance, moving with strength and grace, of a hardy constitution, to defy fatigue, hunger and cold. His open countenance was a mirror of his frank, ingenuous nature; he could glow with intensest anger, but he would never allow his passion to master his discernment, and his disposition was sweet and peaceful, so that he delighted in acts of kindness, never harboring malice or revenge, making his house a home of cheerfulness and hospitality. His courage was not an idle quality, it sprang from the intense energy of his will, which bore him on to his duty with an irresistible impetuosity; his faculties were only quickened by the nearness of danger, which he was sure to make the best preparation to meet; an instinctive perception of character assisted him in choosing among his companions those whom it was wise to trust, and a reciprocal sympathy made the obedience of his soldiers an act of affectionate confidence. Whenever he appeared on the battle field the fight was sure to be waged with fearlessness, good judgment and massive energy. Next to Washington, in some qualities, Morgan had no superior among Virginia soldiers."

In another light Morgan is sketched by a writer in the *Winchester Republican*, in 1842: "This 'thunderbolt of war,' this 'brave Morgan who never knew fear,' was in camp often wicked and profane, but never a disbeliever in religion. In his latter years he united himself with the Presbyterian Church in this place, under the care of Rev. Dr. Hill. He related his experience to that minister. 'People thought,' said he, 'that Daniel Morgan never prayed;'—'People said old Morgan never was afraid;'—'People did not know.' He then proceeded to relate in his blunt manner, among many other things, that the night they stormed Quebec, while waiting in the darkness and the storm with his men paraded, for the word to advance, he felt unhappy; the enterprise appeared more than perilous; it seemed to him that nothing less than a miracle could bring them off safe from an encounter at such amazing disadvantage. He stepped aside and kneeled by the side of a munition of war—and then most fervently prayed that the Lord God Almighty would be his

shield and defense, for nothing less than an almighty arm could protect him. He continued on his knees till the word passed along the line. He fully believed that his safety during that night of peril was from the interposition of God. Again, he said about the battle of Cowpens, which covered him with so much glory as a leader and a soldier—he had felt afraid to fight Tarleton with his numerous army flushed with success—and that he retreated as long as it seemed advisable, and yet retain the confidence of his men. Drawing up his army in three lines on the side of a hill, contemplating the scene—in the distance the glitter of the advancing enemy—he trembled for the fate of the day. Going to the woods in the rear, he kneeled in the top of a fallen tree, and poured out a prayer to God for his army, for himself and for his country. With revived spirits he returned to the lines, and in his rough manner cheered them for the fight; as he passed along they answered him bravely. The terrible carnage that followed the deadly aim of his riflemen decided the victory. ‘Ah,’ said he, ‘people said old Morgan never prayed and never was afraid; people did not know; old Morgan was often miserably afraid! The last of those riflemen are gone; the brave and hearty gallants of the valley, that waded to Canada and stormed Quebec, are all gone;—gone, too, the sharpshooters of Saratoga.’ For a long time two, who shared his captivity in Canada were seen in this village, wasting away to shadows of their youth, celebrating with enthusiasm the night of their battle, as the years rolled round—Peter Lauck and John Schultz. They have answered the roll-call of death, and have joined their leader.”

Out in the cemetery, not far from Morgan’s grave, rests another of the patriot band of the revolution, the brave Gen. Daniel Roberdeau, a Huguenot, who cast his fortunes with America. But here, upon a plain marble slab, now level with the ground, cracked and broken, may be read the following:

MAJOR-GENERAL DANIEL MORGAN

departed this life
On July the 6th, 1802,
In the 67th year of his age.
Patriotism and Valor were the
Prominent Features of his character,
And
The honorable services he rendered
to his country
During the Revolutionary War
Crowned him with Glory, and will
remain in the hearts of his
Countrymen
a Perpetual Monument
to his
Memory.

Beneath this humble slab out in the cemetery, under the shadow of stately monuments, repose the dust of one of those great soldiers who, it seems, flash before the world but once in a century—General DANIEL MORGAN—the STONEWALL JACKSON of the Revolution.

CHAPTER VIII.

ONE HUNDRED YEARS AGO.

INCORPORATION OF WINCHESTER—POST-REVOLUTIONARY BOOM—SPLENDID EARLY SCHOOLS—FIRST NEWSPAPERS IN THE VALLEY—GRANDILOQUENT SALUTATORY—PORTRAIT OF WASHINGTON—THE CHURCH LOTTERY—SOME LOCAL ITEMS—DANCING MASTERS—MR. MCGUIRE'S BALL ROOM—SOME FANCY FIGURES—FIRST FIRE COMPANIES—NOTED TAVERNS—ESTABLISHMENT OF MANUFACTORIES—THEATRICALS—PROMINENT MERCHANTS—YOUNG LADIES SEMINARY—FINE STORES—FIRST ADAMS EXPRESS COMPANY—POST OFFICE—INDENTURED SERVANTS—SHAVED HEADS AND "IRON COLLAR"—JUST RECEIVED FROM CORK—VOTE OF THE COUNTY—GRAND CELEBRATION AND BARBEQUE OF 1788—DESCRIPTION OF PARADE—FIRST EXECUTION—BRIEF, BUT TO THE POINT—LIST OF JUSTICES—LONGEVITY OF OLD CLERKS.

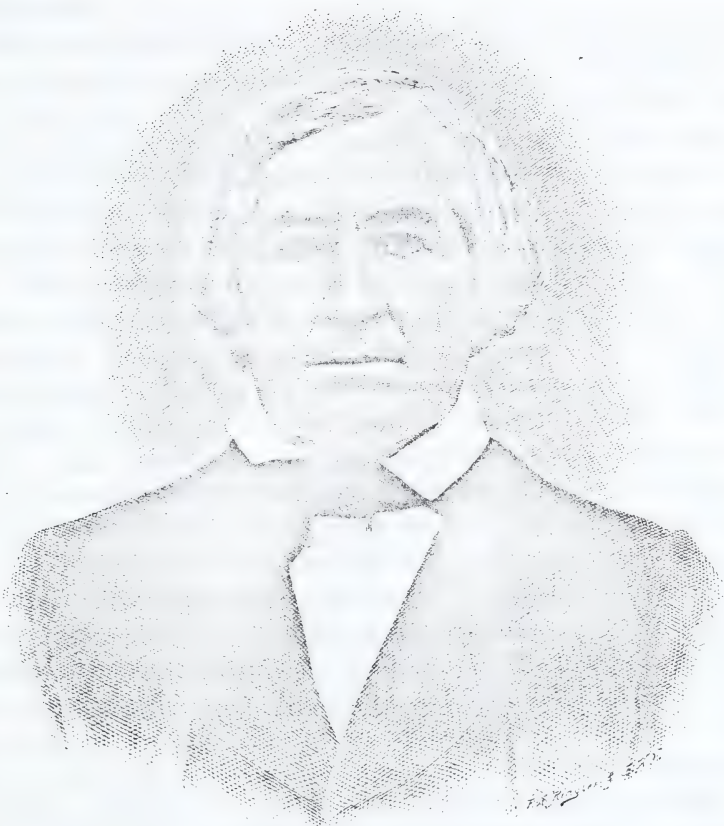
IN October, 1779, a dual act incorporating the towns of Alexandria and Winchester was passed by the General Assembly of the Commonwealth. The act provided for the election of officers of the two towns; the style of the corporations, qualification and eligibility of the mayor, and his judicial and ministerial powers; provided for a recorder, aldermen, sergeant, etc.; market days; misconduct of officers, vacancies, and penalties for refusing to qualify; election of common councilmen. That portion of the act, specially in regard to Winchester, is as follows:

Be it further enacted, That the town of Winchester, in the county of Frederick, shall be, and the same is hereby declared to be made corporate in the same manner, to all intents and purposes, as the said town of Alexandria; and that the freeholders and housekeepers thereof shall be entitled to the same privileges and in like manner, and under the like conditions and limitations; shall have the power of electing twelve able and fit men, to serve as mayor, recorder, aldermen and common councilmen for the same. The mayor of the town of Winchester first elected shall, before some justice of the quorum in the commission of the peace for the county of Frederick, take the oath of office. The mayor, recorder and aldermen shall have the same jurisdiction in civil and criminal cases; and shall, on the second Thursday in every month, hold pleas of action arising within the said town of Winchester, and the limits hereinafter mentioned, in like manner as the mayor, recorder and aldermen of the town of Alexandria. The

mayor, recorder, aldermen and common councilmen of the town of Winchester, shall, in every instance have the same powers, rights and privileges, and be subject to the same penalties, limitations and manner of proceedings as the mayor, recorder, aldermen and common councilmen of the said town of Alexandria; and their jurisdiction shall extend to and over the out-lots belonging to the said town of Winchester.

This act, it will be noted, was passed during the very heat of the Revolution, and shows that notwithstanding the great interest the citizens of the valley took in the progress of the war, as evidenced in the number and gallantry of its soldiers, they also kept in mind the welfare of their towns. Two years after the above act of incorporation, when peace spread her white wings over the victorious colonies, an era of prosperity came to Winchester that amounted to what would now be called a veritable "boom." Various important businesses sprang into life; it became the mart for the production of several useful products on such a scale as would now, even, be deemed extensive. The manufacture of saddle-trees was carried on to a large extent, and were shipped northward and eastward, even entering the markets almost controlled by Carlisle, Penn., which at that time was the great rival in trade of Winchester. The hats of Winchester were famous far and wide, whilst the gloves of buckskin, made by three or four manufacturers were sought by all eastern dealers, and doubtless was the starting point of the celebrity of valley-made gloves that retain their reputation to this day. One of the largest tanneries was located here even before the Revolution and its leather was shipped as far north as Boston.

Educational matters received attention at a very early date, and in addition to two or three strictly private schools for the lower branches two fine classic and academic institutions were opened. In the *Alexandria Advertiser* of June 22, 1786, one year before the first newspaper was published in Winchester, the "trustees of the Winchester Latin, Greek, and English schools," advertise that having elected "Mr. Armstrong and Mr. Potter, two gentlemen of character and abilities, to take charge of the institution, do hereby give notice that the schools will be opened on Monday, the 10th of July." They set forth that "the climate is healthful, the country plentiful and the town growing." The price of tuition was four guineas per annum. The trustees also state that "there being clergymen of the Episcopal, Presbyterian, and Lutheran churches, who officiate regularly in this



James Cather

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place, the pupils will have an opportunity of attending divine service every Sunday." The trustees were: John Smith, Robert Macky, Alexander Belmain, Rawleigh Colston, Joseph Holmes, J. H. Norton, Philip Bush. Another fine school was started a little later, also in Winchester.

There was, undoubtedly, a printing office for job work in Winchester for several years previous to the American Revolution, for in two of the county levies of years preceeding 1770 appear items appropriating certain sums "to the printer." The first newspaper, however, published in the Shenandoah Valley was the *Virginia Gazette and Winchester Advertiser*, the initial number of which appeared Wednesday, July 11, 1787, Henry Willcocks & Co., being the proprietors. The writer hereof, has before him a bound volume of this old journal, covering a period of one year and nine months from its commencement. It contains much interesting and curious matter and gives an idea of Winchester a few years after the great conflict with the mother country, better than can be obtained through any other medium. As exhibiting the manners, customs and progress of the Valley over one hundred years ago, a number of extracts will be copied from the *Gazette and Advertiser*. As was the ancient custom, and which still prevails to a certain extent, the editions gave a voluminous and rather grandiloquent "salutatory," headed "*To the Public.—Vincit amor Patrie.*" It reads in part as follows: "Those sages of antiquity, who were blinded by the bigoted prejudices of their ancestors, were strangers to the finer acts that have illuminated our minds, in the days of modern refinement. The luxuries of life were then preferred to other joys more satisfactory, more satisfactory because more necessary, and the extension of knowledge was totally neglected. The rude rusticity of superstition was like to invade, and even to refute reason and common sense; and the pleasurable sweets of Philanthropy and cordiality, were nearly abolished by tumultuous uproars which frequently prevailed in society." After a eulogy on the inventors of printing, the editor continues. "The Editor, from his experience in the Printing business, both in America, as well as in the principal cities of Europe, hopes to be enabled to carry it on with honor, respectability and reputation. * * * * We are determined to keep our press chaste, and as free from paper litigation as is consistent with the welfare of an infant republic, and freedom of the press. * * * * As it was the editor's ambition from infancy to hold

the rights of liberty inviolate, and promote those patriotic virtues which are the parents of wisdom and distinguished eminence. We are with respect, the public's most obedient and very humble servants, H. W. & Co." The *Gazette* partially changed hands in the following month, as the firm name on August 29 appears as Bartgis & Willcocks. This Bartgis seems to have been a very enterprising printer, for at this time he was publishing newspapers in York Town, Penn., Frederick Town, Md., and was just establishing one at Staunton, Va. In January, 1788, he obtained entire control of the *Gazette*, for at that time the firm is Bartgis & Co. At the head of this paper is a wood cut with the legend around it "George Washington was the Savior of his country." The cut is intended to be a portrait of Washington, but if George had ever laid his eyes on that picture and seriously thought that anybody could think he looked like it, it is safe to conclude that we should never have had him for our first president; the waves of the Potomac would have wept over the silent grave of the unfortunate but justifiable suicide.

One newspaper was not enough for the ambition of Winchester, so on April 2, 1788, Richard Bowen & Co. launched upon the newspaperial sea *The Virginia Centinel, or the Winchester Mercury*. The address of the editors of this new aspirant for public favor says: "Called upon by the Public Voice to publish a Newspaper in the town of Winchester, we have this day the honor to present them with the first number of the *Centinel*, etc." One can scent war in the breeze between the two journals in the following extract: "It has been customary with some, at the commencement of undertakings of this nature, to lavish many *words* in commendation of the good conduct they mean to pursue. * * * We beg leave to deviate from those who have gone before us, in this respect, least we should fall into the dilemma of asserting *more than we are able to perform*. *Words*, the mere effusions of *wind*, should never, in our opinion, be made use of, either in writing or speaking, unless they are intended to convey *truth*. We hope our *deeds* will render us deserving the countenance and support of a judicious and disinterested public."

In addition to the classical school mentioned previously as being located in Winchester, an advertisement appears on the 5th of November, 1787, under the heading of "Winchester Seminary," in which it is set forth that the undersigned have enjoyed the privileges of sending their children to this seminary, and having them taught the Latin

and Greek languages. Charles O'Neil, A. M., was the instructor, and the "undersigned" endorsers were: Edward McGuire, Robert Wood, Samuel May, Lewis Wolf, Henry Baker, J. Gamul Dowdal, Frederick Conrad, Isaac Sittler, Thomas Edmondson.

Still another school is advertised, November 2, 1787. Felix Kirk, the dominie of this institution, says in his card in the paper: "In this school the *English* language will be taught grammatically; Orthography, Reading and Writing, with grace and propriety, and a complete course of the Mathematics, or any of the practical branches that may be required." Whether the old teacher was perpetrating a fling at the higher schools that taught, principally, Latin, Greek, etc., when he speaks of teaching the *English language grammatically* is difficult to tell.

The good old fathers of the church of one hundred years ago seem not to have had the same scruples in regard to certain practices for obtaining funds for the religious work in which they were engaged, as our modern church adherents, although when one comes to think of it, there is very little difference in the animus of the acts—a lottery or a raffle. We, of this enlightened age, put up at church fairs almost any article and raffle it off to the lucky winner, and at the same time would stand aghast at a scheme for a public lottery to build a church. These remarks are suggested by an advertisement in a newspaper of May 4, 1786, wherein it is recited that an act of the General Assembly has authorized the holding of a public lottery for the purpose of raising funds to finish the German Lutheran Church in Winchester. Two thousand tickets at \$3 apiece were put on sale, and the managers named were: Col. Charles M. Thruston, Mr. Edward Smith, Maj. Thomas Massei, Col. Joseph Holmes, Col. James G. Dowdal, Mr. John Peyton, Rev. Christian Streit, Mr. Lewis Hoff, Mr. Philip Bush, Mr. George Kiger, Mr. Henry Baker, Mr. Adam Heiskel, Mr. George Linn, Mr. Peter Lauck, Mr. Frederick Hass. These gentlemen state in the advertisement that, "It is hoped the pious purpose of this Lottery, will be a sufficient recommendation, and the friends of Religion, of all denominations, will cheerfully help to promote it by becoming adventurers."

In the *Centinel* of May 14, 1788, the editor has the following: "Last week we had the pleasing satisfaction to behold the old roof of the English Lutheran Church, in this town, taken off for the purpose of replacing it with a new one. This was much wanted, as divine ser-

vice could not, for some time past, be performed there without endangering the safety of the congregation. While we congratulate our fellow citizens on the prospect they have of again worshipping their Creator in this commodious edifice, we are happy in pronouncing that the public spirit in this town, tho' situated in the woods, is equal to that of the most populous towns or cities on the continent."

In the *Gazette* of July 23, 1788, the following advertisement appears :

THE subscribers for the purpose of building the Presbyterian Meeting House, in the town and borough of Winchester, are requested to meet at the house of Mr. John Donaldson, on Saturday next, the 26th instant, precisely at 3 o'clock P. M., in order to adopt and fix upon a plan for erecting the same, where all persons desirous of undertaking to build said church will please to attend with their plans and estimates.

WILLIAM HOLLIDAY,
JAMES HOLLIDAY,
ROBERT SHERRARD,
Managers.

The Methodists were quite early in the field in the valley, a minister having arrived in Winchester before the Revolution. The following, copied from the *Centinel* of August 26, 1788, shows that they had established Quarterly Meetings at an early date: "This is to give notice, that the quarterly meeting of the Society of Methodists will be held at the house of John Millbourne on Saturday and Sunday next, being the 30th and 31st of August, at 11 o'clock each day."

They had their amusements in those primitive days as well as now, and they really seem to have had them better systematized than those of their descendants. In the *Gazette* of November 23, 1787, signed by such dignified old names as Cornelius Baldwin, John Peyton, John Conrad and Philip Dalby, appears the following: "Notice is hereby given, that the *Winchester Dancing Assemblies* will commence on Wednesday, the 28th instant, at the house of Mr. Edward McGuire." Another notice appears later on signed by Cornelius Baldwin, John Peyton, Charles Magill and James Ash, giving the members of the *Winchester Assemblies* notice that the first of the series of winter socials will commence on December 5th at Mr. McGuire's tavern.

Two dancing schools were in operation in Winchester at this date, 1787-88: "Mr. J. Moriarity begs leave to inform the ladies and

gentlemen of this town that he will teach *Dancing* in the modern method of Europe at *Mr. McGuire's Ball-room*, as he has been employed in the first families in Richmond and its neighborhood. He will attend gentlemen every evening, and will teach the use of the globes, having a pair on a new construction, with Captain Cook's discoveries." But the following advertisement of another dancing master, which appeared in the *Gazette* of October 8, 1788, is curious enough for preservation, and it is, therefore, given entire:

To the Ladies and Gentlemen of this Town and County:

THEIR much obliged and very humble servant, informs them, that he will teach on *Fridays* and *Saturdays*, at Mr. McGuire's, the following elegant, fashionable, tasty, and approved parts in the science of *Dancing*:

Minuets.—De la Cœur, Devonshire, Prince of Wales, Lady Beeties, etc.

Allemandes.—Stringsley's, Theodore's, Aldridge's, etc.

Cotillions.—La Vaudreuil, La Bon Homme, L'Bagatelle, La Suisse, etc.

Country Dances.—Allemande Hopsasa, the Augustine, the Lovely Spring, the German Spa, the Theodore, Kenny's Dance, La Belle Katharine, the Innocent Maid, and True Felicity.

And he begs them to believe that he will use all kinds of industry, all manner of decorum, and every specie of attention, that the first-rate Dancing Masters are so much praised for. He has procured the best white Music that is to be had in these parts, and will teach both in private and in publick. Those who may doubt his abilities in the above science, may receive proof from the most incontestible evidences.

SIMON C. McMAHON.

There was a fire company in Winchester before 1787, and, indeed, it may have antedated the Revolution, for it is altogether probable that the enterprising citizens of that colonial burg, who must have known of the companies in Williamsburg, Fredericksburg and Alexandria, should have organized for protection against the devouring element, even though it was (which is quite probable) a bucket and ladder company. In proof of the existence of a genuine fire company there was printed in the *Gazette* of October 12, 1787, a card from a correspondent, which reads as follows:

Messrs. Printers.—As the welfare of the borough of Winchester in a great measure depends on the exertions of its inhabitants, in guarding against the most dangerous of the elements, by forming a Second Fire Company in this place; it is earnestly requested, that those who wish to become members, will meet, at Mr. Edward

the first of these is the fact that the majority of the specimens are of the same sex.

The second is the fact that the majority of the specimens are of the same age.

The third is the fact that the majority of the specimens are of the same species.

The fourth is the fact that the majority of the specimens are of the same sex.

The fifth is the fact that the majority of the specimens are of the same age.

The sixth is the fact that the majority of the specimens are of the same species.

The seventh is the fact that the majority of the specimens are of the same sex.

The eighth is the fact that the majority of the specimens are of the same age.

The ninth is the fact that the majority of the specimens are of the same species.

The tenth is the fact that the majority of the specimens are of the same sex.

The eleventh is the fact that the majority of the specimens are of the same age.

The twelfth is the fact that the majority of the specimens are of the same species.

The thirteenth is the fact that the majority of the specimens are of the same sex.

The fourteenth is the fact that the majority of the specimens are of the same age.

The fifteenth is the fact that the majority of the specimens are of the same species.

The sixteenth is the fact that the majority of the specimens are of the same sex.

The seventeenth is the fact that the majority of the specimens are of the same age.

The eighteenth is the fact that the majority of the specimens are of the same species.

The nineteenth is the fact that the majority of the specimens are of the same sex.

The twentieth is the fact that the majority of the specimens are of the same age.

The twenty-first is the fact that the majority of the specimens are of the same species.

The twenty-second is the fact that the majority of the specimens are of the same sex.

The twenty-third is the fact that the majority of the specimens are of the same age.

The twenty-fourth is the fact that the majority of the specimens are of the same species.

The twenty-fifth is the fact that the majority of the specimens are of the same sex.

The twenty-sixth is the fact that the majority of the specimens are of the same age.

The twenty-seventh is the fact that the majority of the specimens are of the same species.

The twenty-eighth is the fact that the majority of the specimens are of the same sex.

McGuire's Tavern, on Saturday the 13th instant, at 5 o'clock in the evening, to propose rules and regulations for the government of the same.

CIVIS.

Winchester, Oct. 9, 1787.

Following this suggestion a regular notice appeared November 16, as follows: "Notice is hereby given to those gentlemen who are subscribers to the *Winchester Fire Company*, that a meeting is appointed to be held at Mr. McGuire's Tavern, tomorrow evening at 6 o'clock." The organization seems to have been effected in the fall, and on May 14, 1788, further measures were adopted, as the following notice in the *Centinel* sets forth: "The members of the *Winchester Fire Company* are to observe, that a meeting will be held at the Market House, this evening at 7 o'clock, for the purpose of establishing the said Company, and to be incorporated as agreeable to an Act of General Assembly in such cases." This company is thought to have purchased the first engine brought to the town, within the next year, 1789, as it is not probable that two engines would be required at that time. The first company, as has been surmised, used buckets and ladders only. That old engine was the apparatus known as the "goose-neck." The foundation thus laid for organization against fire, has resulted in one of the most effective and best equipped departments, of its size, anywhere to be found.

Hotels, or as they were called until recent years, ordinaries or taverns, were plentiful in Winchester before 1790, and as well kept, possibly, as their successors hereabouts of the present day. Edward McGuire kept the most noted, and evidently the high-toned hostelry. His tavern was the place of meeting for all public affairs, and is frequently mentioned in the old newspapers. Auctions were held in front of his house on Loudon Street; dancing assemblies met there; church committees and political caucuses convened in his parlors, and he had a spacious ball-room for the young bloods and fair belles of fashionable Winchester. He kept his tavern many years before and after the Revolution, and seems to have been the successor of Henry Heth, who kept the tavern in 1756, at which Col. George Washington "put up" whilst sojourning here during the building of Fort Loudon. Thomas Edmondson also kept a fine tavern up on the hill opposite the fort. In 1782 Edmondson had an act of assembly passed which gave him the right to lay off five acres of land in the northern part of the town into half-acre lots, and on one of these built his tavern. It was

a palatial affair for that day; so magnificent, in fact, that he had a cut made of it which is printed at the head of his advertisement in the *Centinel*. It was two stories high and had a porch with steps running up each end. Across the front of the second story ran a veranda the full length of the building, something wonderful in architecture for the town of Winchester in 1788. Across the pavement swung high in air between posts the sign, which was a white full-rigged ship on a dark ground. He also had a billiard-table for the accommodation of his guests. Philip Dalby owned a tavern, but just where it was located has been lost. It was called "The House." John Walters kept the "Black Horse," and patriotic old Philip Bush kept the "Golden Buck," on Cameron Street, south of Water. There were, doubtless, several minor places of resort for the traveler and the thirsty citizen, for the taverns all sold spirits at that day, as they have done ever since, and everybody, it seems, preachers and all, took a turn at the flowing bowl whenever they felt like it.

Evidences of great material prosperity appear throughout the volumes of old papers, from which the foregoing and following facts are gleaned. What must have been the outlook for business in 1787, when two European architects establish themselves in Winchester? As appears from their advertisement, "George Newsam and Edward Slater, from London and Berlin, architects and builders, respectfully inform the public that they have commenced business in Winchester, etc.," and asking a *share* of the public patronage. And what must the ladies think of the retrogression of their "dear old Winchester" of to-day when they are informed that one hundred years ago James Ridley had a corset manufactory right in their town? They were called stays at that time, and he invites the ladies to patronize him, as he "makes stays in the French, Italian, and English fashions." They even had an amateur dramatic association, for on the evening of October 6, 1788, they performed a play called the "Royal Convert," a tragedy. Tickets, at 1s. 6d. were to be had at either of the printing offices, and the performance came off at the Market House.

Alexandria and Fredericksburg merchants advertised extensively in the two papers, the Valley being to those cities their greatest market. W. Haycock, from Alexandria, opened a "soap-boiling and tallow-chandling" establishment, and informed country merchants that he could supply them at short notice. Thomas Oworm & Co., settled here and erected on Piccadilly Street, the "Winchester Hemp

and Flax Manufactory." They furnished all kinds of linen threads, ropes, bolting-cloths, etc. Jonah Hollingsworth and George Matthews, at "Abraham's Delight," southeast of town, commenced the fulling and dyeing business on a large scale. Two book-binderies were in operation, and several cabinet-makers and upholsterers had shops, whilst there were real estate dealers, combined with other businesses, usually, and lawyers and doctors in abundance. Meshach Sexton appears to have been engaged in the sale by public auction of a number of tracts of land. He held his sales as seen by his advertisements, in front of John Donaldson's door. The latter conducted some prominent business, merchandising, presumably.

In the matter of merchants, Winchester was well supplied. Hamilton Cooper & Co., kept a general assortment of wet and dry goods, and Richard Gray, in addition to wet and dry goods, kept scythes, sickles, bar-iron and castings. "Archibald Magill, at his store opposite the church" kept a fine assortment of "moreens, sagathies, durants, camblets, joans, spinnings," etc., in addition to a full line of patent medicines and hardware. Philip Bush, Jr., "at the sign of the 'Golden Urn,' opposite Mr. Wm. Holliday's dwelling house," was a jeweler and goldsmith, and Robert Wells, opposite Mr. Jesse Taylor's store, was a watch and clock maker, Mr. Wells advertised to "make repeating eight-day clocks and watches of the most modern construction," and you can rely upon it that he *did* make them, for in that day when a man advertised to do a thing, he did it. James Mercer advertises 4,067 acres of land, not many miles from Winchester. Joseph Gamble's tailoring establishment was at "Mrs. Troutwines, in Cameron street near the Market-house," and Hugh Jerdon had his boot and shoe manufactory "nearly opposite the Lutheran Church on Loudon street." Henry Bush has a parcel of choice leather for sale at his store, and Philip Dalby offers to sell "an elegant double chair," a kind of gig, or as we would now call it, a buggy. Richard Gray wants all kinds of country produce, and will receive all grain delivered at fifteen mills in the county, which he names as follows: Morgan's, Brown's, Lewis', Bull's, Snicker's, Wormley's, W. Helm's, M. Helm's, G. Bruce's, Hite's, Perkin's, Stroop's, Gibb's and Wilson's mills. Flour on the Alexandria market was quoted at 31s. per barrel, \$5.16 $\frac{2}{3}$, the Virginia shilling being 16 $\frac{2}{3}$ cents. Daniel Norton & Co., in the fall of 1787, advertised "Fall Goods just imported in the *Dade*, Captain James Grayson, master,"

among which are "duffil and rose blankets, negroe cottons, bath coatings, callimancoes, wildbores, ladies fashionable hats and ribbons of the newest taste." Their store was on the corner of Loudon and Piccadilly Streets. Thomas Clark, painter, glazier, paper-hanger, gilder, etc., advertises that "having laid in a stock of oil and colours and as good a stone to grind them on as can be procured, he flatters himself, etc." He also adds that he "has an *ingredient* for destroying *bugs* and *fleas*," which shows that our little brown friend, who has the reputation of "getting there all the same," although he be wingless, is not a modern innovation. In the spring of 1788 "Miss Maria Smith proposes to open a school in Winchester for the instruction of young ladies in Reading, Spelling, Tambour, Dresden Embroidering, and all kinds of plain and colored needle work." Miss Smith states that she "has had the honor of educating some ladies of the first rank." John and James McAllister opened a general store "at the sign of the 'Tobacco Hogshead' opposite the bridge in Winchester." This firm was one of the largest in the town, and purchased "tobacco, hemp, gensang, deerskins, mustard and flax seed, military certificates, beef, pork, etc." The name of this old firm is written on the margin of the papers from which these facts are copied, and the volume belonged originally to them. J. Gamul Dowdal was also a well-known merchant. He advertises "linens, woolens, fashionable silks, rum, wine, bar-iron and steel." A professional "mineralist" located in Lancaster, Penn., offers his services to the citizens of this section in the assaying of all ores and minerals. John Hite, Jr., has just erected his "new and elegant mill on Opeckon."

A nail factory was started by J. & J. McAllister, and Robert Sherrard at his new store offers a beautiful assortment of early spring goods; Henry Beatty has for sale a quantity of linseed oil; Col. John Peyton orders a muster of the militia of Frederick County; Thomas Eagen offers for sale a valuable and convenient stone house opposite the church on Loudon street, and J. H. Jones tenders his thanks to the public for patronizing his school so liberally. William Holliday offers for rent his elegant two-story stone house; also has for sale a likely Negro woman, with two children, and a "sign for a tavern keeper, whereon the likeness of General Washington is beautifully represented on one side, and Benjamin Franklin, Esq., on the other, the painting executed by a masterly hand at Philadelphia." Thomas Deaderick advertises as a watch and clock maker, gold and silver-smith.

There must have been bad boys in those early times as well as at present, for John Peyton, clerk of the corporation, publishes an ordinance of the common council in part as follows: "Whereas the practice of throwing stones at the public buildings in this place, has become so general, that considerable injury has been occasioned thereby; and it is necessary that such pernicious and idle proceedings should in future be restrained, therefore be it hereby resolved, that it is indispensably the duty of parents to caution their children against the same." A resolution was passed prohibiting shooting at a mark within the corporate limits.

William Holliday informs the public that he has taken into partnership with himself, Adam Douglas and will be pleased to see his customers at his new stone house; Adam Kiger has reduced the price for making suits of clothing to twelve shillings; J. & J. McAllister are selling pine apples, oranges, lemons, figs, etc. Archibald Magill had a fine grocery, liquor and hardware store on the corner of Loudon and Piccadilly streets, and Adam Heckman announces himself post-rider from Winchester to Staunton (there then being but few post-offices established in the valley), and that he would carry letters to Newtown, Stover's Town, Miller's Town, New Market, Rockingham Town, Kersel Town, etc.; also, that he would carry *packages*, which shows that this Adam, as an express company, anticipates Alvin Adams of Massachusetts, by more than half a century. In the post-office at Winchester there were fifty-nine letters unlified; to several persons two and three apiece. At that day a letter cost twenty-five and thirty cents, and the receiver had to pay for it. "Literary fellers," as Ben Butler called the newspaper men, were in demand, as an advertisement appears in the *Gazette* for "a person capable of conducting a newspaper." Meshach Sexton in 1788 established an oil-mill and hemp-mill, and Daniel Miller and Hanc Cavert, tailors, offer to make a suit of clothes for twelve shillings. John Kean kept a store next door to McGuire's tavern, and W. Anson was a painter and upholsterer; Peter Kehoe was a first-class shoemaker, and Edward Powars was a "tailor and habit-maker" in addition to being the gaoler for the sheriff.

As illustrative of not only what we should now consider a cruel and unjust custom and law, but one that we should find difficult of execution, a few extracts from advertisements in regard to the "indentured servants" of one hundred years ago will be given. It is

strange that our Revolutionary fathers should have overlooked this tyrannical custom, in regard to white servants, at least. In the *Gazette* of November, 1787, Mr. Hamilton Cooper, the merchant, offers \$10 reward for the return to him of his Irish servant man, Dennis Wheelan, who, the advertiser says, after describing Wheelan's appearance, "was bred to the engraving business, writes an excellent hand, and seems to have had a good education; can perform on the violin, and is very artful and cunning; who ever secures him so that he may be conveniently come at, shall receive the above reward." How a man of the attainments stated could have become a slave to another is hard to tell. A number of similar advertisements are printed, and the inventor of the steam boat, James Rumsey, offers rewards for several. But here is what might now be termed a "local item," one of those little incidents happening every day; the editor says: "We are authorized to inform the public that the runaway servants of the Potomac Company were not sentenced to have their heads shaved (as mentioned in this paper of the 26th of January last), the season being thought to be too severe for such an operation. Their eyebrows only were shaved and their hair cut short." In another paper of about this date John Selye offers \$20 reward for the return to him of John Jacob Pegel, a Dutchman, 45 years of age, and James Collins offers \$20 reward for the apprehension of Nancy Murray, an Irish servant woman, but Nancy stole some things from her master. Rumsey, however, caps the climax when he states in his advertisement of Francis Murray having run away that he, in addition to having his eyebrows shaved off, "had on when he left, an *iron collar*." That was not very remote from the habits of the days of Gurth and Wamba! One can scarcely realize how slowly progress progresses. As a curiosity and worthy of preservation the annexed advertisement, copied from one of the old papers, is here given entire:

Just received from Cork, and to be disposed of for ready cash, or crop tobacco on a short credit.

A FEW healthy men and women who have from three and one-half to four years to serve under indentures. Among the men there are laborers, waiters, writers, weavers, shoemakers, taylor, whitesmiths, coopers, plasterers, and tilers, hair-dressers, skimmers and breeches makers. The women are washers, seamstresses, &c.

HOOE & HARRISON.

Alexandria, October 23, 1788.

An election was held in Winchester, on Tuesday, March 4, 1788, for two delegates to represent Frederick County in the convention to be held for the purpose of considering the ratification of the Federal constitution by Virginia. Four candidates were voted for, which resulted in the election of the two who were favorable to "ratification." The poll was as follows: John S. Woodcock, 191; Alexander White, 162; John Smith, 117; Charles M. Thruston, 71. This, 541 votes, was the entire vote of Frederick County, including what is now Frederick, Clark and Warren.

In the Winchester *Gazette* of July 2, 1788, the following in regard to the convention is to be found:

"Last Sunday evening arrived in this town from the convention at Richmond, Col. R. Humphreys and Col. E. Zane, by which gentlemen a letter was brought from Alexander White, Esq., to the mayor, with the pleasing intelligence that Virginia had adopted the new constitution."

"On receipt of the above important information the extreme joy of the inhabitants of this town was fully evinced by the sparkling eyes and elated spirits which shone conspicuous through all ranks of people. Being desirous publicly to demonstrate their approbation of the happy decision of a subject for which they had been several days waiting with the most anxious expectation, on Monday afternoon the infantry company, commanded by Capt. Heiskell, and under the immediate orders of Maj. McGuire, appeared on the parade, when after discharging nine volleys in honor of the *nine pillars* which now support the glorious *American fabric*, they marched through the town, performing a number of evolutions, street firings, &c., as they passed. Toward evening a large quantity of combustibles were collected, and conveyed to *Federal Hill*, by the *Federal Wagon*, drawn by nine horses, decorated. As soon as night came on, fire was set to the materials collected, which exhibited a large and beautiful bonfire, and which was seen for many miles in the vicinity. The court house and several other buildings were elegantly illuminated on this joyful occasion. At nine o'clock, a select number of *pure* Federals retired to Mr. McGuire's and spent the remainder of the evening in the greatest conviviality, mirth and good humour. After supper, the following toasts were announced, and drank with the most heartfelt satisfaction:

"1. His Excellency, Gen. Washington. 2. His Most Christian Majesty. 3. The Marquis de la Fayette. 4. The Hon. Benjamin

Franklin, Esq. 5. The memory of the American Worthies who fell in the late revolution. 6. The United States. 7. The memorable 4th of July. 8. The Patrons of Freedom. 9. The friends of the Federal Constitution. 10. May the manufacturing spirit increase as the Federal Union becomes permanent and respectable. 11. The Majority of the Virginia Convention. 12. May the Federal Pillars be raised to the highest pitch of greatness. 13. May the sword never be drawn but in the cause of justice.

"The company then departed, solacing themselves with the pleasing expectation, that the consequences which will result from the establishment of that government they had been celebrating, would render us a respectable, happy and wealthy people."

From the *Centinel* of the following week, July 9, 1788, an account of the double celebration of the "Ratification and Fourth of July" is taken:

"Friday last being the glorious ANNIVERSARY OF AMERICAN INDEPENDENCY, the same was observed here with every token of heartfelt satisfaction and joy. The Federal constitution having been so recently adopted by this State, and although great rejoicings were held in town on Monday the 30th ult. in consequence thereof, it was determined by the inhabitants to celebrate these two important events (which will shine conspicuous in the annals of our country till time shall be no more) at one and the same time, with a GRAND PROCESSION, etc.

"At 12 o'clock the different crafts, consisting of upwards of two hundred, with Capt. HEISKELL's Company of Light Infantry, commanded by Maj. MCGUIRE, assembled at the court house, from whence they marched in procession through the principal streets to the *Federal Spring*, at Gen. Wood's plantation, where an elegant *Barbequi* was prepared for their reception. Having arrived at this delightful spot, where zephyrs gently fan the air, and stately trees afford a pleasing shade, the light infantry fired ten volleys in honor of those States which have adopted the Constitution (New Hampshire having ratified it before Virginia, though the account had not come to hand previous to our last publication) after which the whole partook of the regalia. The jovial bowl and glass went briskly round after the repast, and the good humour and conviviality which prevailed among all ranks, would have done honor to an assemblage of the first characters in the world. A large concourse of the *Federal Fair* honored the sons of freedom

with their presence, which added greatly to the brilliancy and harmony of this auspicious scene. At 5 o'clock the whole returned to town, and the day concluded with military evolutions, etc. In the evening bonfires and illuminations were exhibited, and a splendid parade took place. The following is the order of the procession, each craft bearing implements suitable to their several occupations:

“The Light Infantry Company.

Farmers with Sheefs of Wheat.

Bakers and Brewers.

Butchers.

Coppersmiths.

White and Blacksmiths.

Tanners.

Saddlers.

Shoemakers.

Masons.

Hatters.

Tailors.

Watchmakers and Silversmiths.

Wheelwrights.

Carpenters and joiners.

Painters.

Potters.

Weavers.

Barbers.

Combmakers.

Printers.

Merchants.

Doctors.

Clergy and Bar.”

In 1785 Philip Bush, Edward McGuire and Joseph Holmes, were appointed a committee to sell the old courthouse and agree with proper mechanics to build a new one, but nothing was done in the matter, as possibly they could not get a purchaser. And a few years later John Kercheval was paid the sum of £18 for “repairing the courthouse.” In 1795 several sums were also appropriated for the same purpose, and \$20 was paid for “iron-work for hanging the bell.” In 1798 \$100 was appropriated to put repairs upon the same building, which shows that the justices concluded to make the building answer

their purposes. In 1805 a new clerk's office was built, at a cost of \$1,100.

The first execution occurred in the winter of 1791. James Medicot was arrested and arraigned before the justices on July 31, 1790, for the murder of William Hefferman, on the night of July 29, two nights before. He was tried, convicted and hung some time during the following year, as in the county levy for 1792, Edward Smith and Isaac Miller, are each paid £1 10s. for erecting a gallows.

The old dispensers of law in those primitive times had a mode and brevity of procedure that was truly startling. Here is the entire record of a case as copied verbatim from the proceedings of the justices nearly one hundred years ago. It comprises the arraignment, trial and conviction of a culprit and tells its own tale:

"At a court of Oyer and Terminer held in Frederick County, the 5th day of June, 1798, for the trial of Ralph, a negro man slave, the property of James Strother, on suspicion of feloniously plotting and conspiring the murder of the said James Strother and Elizabeth, his wife, on the 5th day of May, last, by exhibiting or administering to them the seed of a certain Noxious and Poisonous Herb, called James Town Weed.

"Present, Charles Mynn Thruston, James G. Dowdal, Thomas Buck, Gerrard Briscoe, Matthew Wright and Charles Smith, Gentlemen, justices.

"The prisoner was led to the bar and it being demanded of him (having had Archibald Magill assigned to him as counsel), whether he was guilty of the facts wherewith he stood charged, or not, said that he was in no wise thereof guilty, whereupon sundry witnesses were examined, on consideration of whose testimony, and the circumstances attending the same, It is the opinion of the Court that he is guilty, and thereupon it is considered that he be hanged by the neck until he be dead, and that the sheriff of this county cause execution thereof to be committed and done upon him, the said negro Ralph, on Friday, the 20th day of July next at the usual place of execution between the hours of ten in the forenoon and three in the afternoon of the same day.

"Ordered, that it be certified as the opinion of this Court that negro Ralph, the prisoner at the bar, is of the value of three hundred and thirty-three dollars and one-third of a dollar.

"Charles Mynn Thruston."

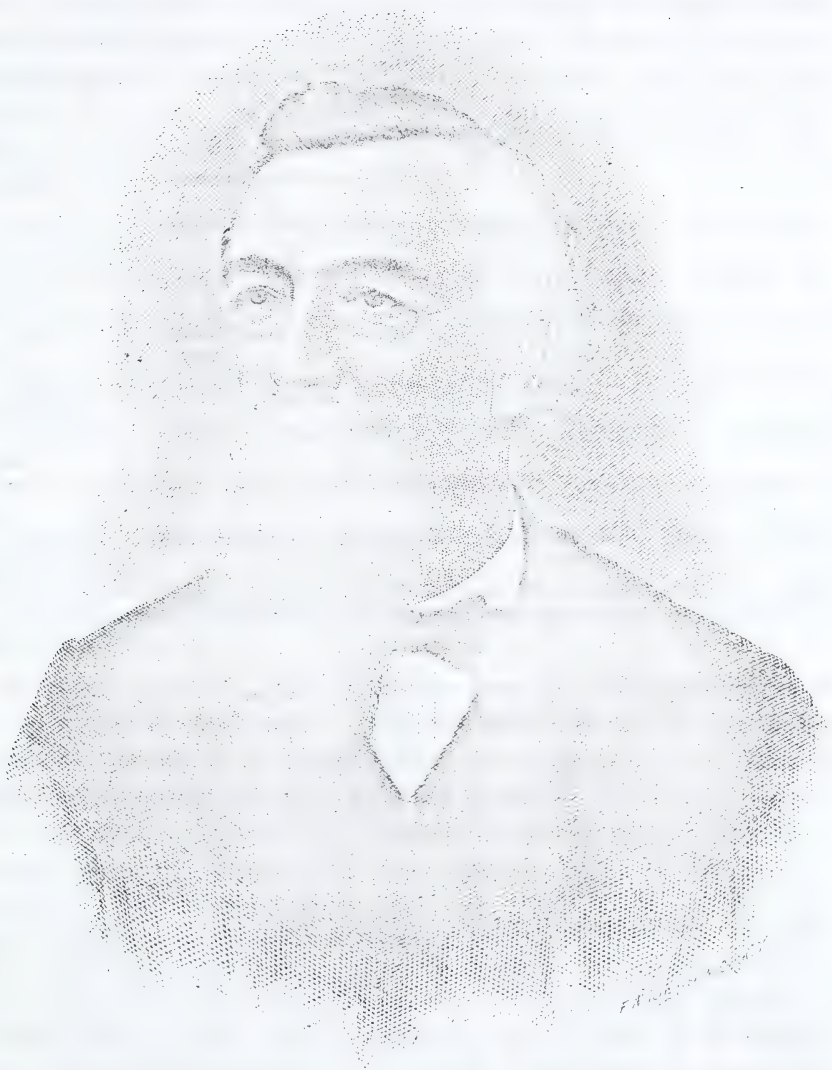
February 4, 1799, John Rust was arrested and sent on for trial at the District court, for the murder of his slave man Jacob, and January, 1801, Jack, a slave of Bushrod Taylor was tried for murder, but

was found not guilty. The gentlemen justices in this case were G. Briscoe, C. Baldwin, James Singleton, J. Caldwell and Daniel Conrad. Hugh Holmes was Jack's attorney. Four cases in ten years—two white and two black—one of each color being hung, equalized the matter.

Following is a complete list of the justices of the peace for Frederick County from 1779 to the present time, or rather, to a recent period.

- 1779—John Smith.
- 1783—Thomas Buck, Isaac Hite.
- 1798—Charles Smith, George Blakemore.
- 1799—John B. Tilden, Joseph Blake, Joshua Gore.
- 1801—Benjamin O'Rear, John Jolliffe.
- 1802—Moses Russell, Edward McGuire.
- 1804—Edward Smith, Joseph Tidball, William Cooke, James M. Marshall, William Castleman.
- 1808—Griffin Taylor, Robert Vance, Samuel Baker, Lewis McCoole, John S. Ball, William Vanmetre.
- 1809—James Ware.
- 1811—Robert Berkeley, William Snickers, Mandly Taylor, Bushrod Taylor, William Lynn, Charles Brent, Jr., Jacob Heironomus, Dolphin Drew.
- 1813—Beatty Carson, John Bell, Joseph Gamble.
- 1815—William B. Page, Baalis Davis, John Newman.
- 1816—David Meade, Treadwell Smith.
- 1817—James Baker, James B. Wigginton, George H. Norris, George Lynn.
- 1819—William S. Jones, John White, Samuel Baker, Jr., William Stephenson, Frederick Smith, Simon Carson, George Reed.
- 1824—John Heiskell, Daniel Gold, Robert T. Baldwin, David Castleman, Edward J. Smith, Joseph Berry, John W. Pugh, George N. Blakemore, Samuel Gardner, Cornelius E. Baldwin, Jonathan Kackley, Francis Stribling, John Gilkeson, Thomas Cramer.
- 1825—John Hays, William Wood, Nathaniel Burwell, Dawson McCormick.
- 1831—John S. Davison, John Rust, Robert M. Marshall, James Gibson, Talliaferro Stribling, Abraham Miller, Charles H. Clark, Francis B. Whiting, John Richards, Nash L. Gardner, Philip Smith, James B. Hall, Richard W. Barton, Jonah Lockhart.
- 1836—Richard M. Snyder, James B. Brookings, Seth Mason, Joseph G. Gray, Archibald S. Baldwin, John W. Miller, Jacob Senseney, Robert L. Baker, Henry W. Richards, Elijah Phifer.
- 1838—Ed. J. Davison.
- 1840—John S. Magill, Joseph Neill, Cornelius B. Hite.
- 1843—Daniel Collins, James P. Riely, Jacob Baker, Isaac F. Hite, Walker M. Hite, Jonathan Lovett.
- 1847—Samuel Cox, James H. Burgess, George Wright, James W. Mason, William J. Rowland, Joseph Long, William Smith, William Rosenburg, Alfred Parkins, Mager Steel, John Bruce, John W. Pyfer.

The new constitution of 1851 having gone into effect, made a change in the manner of selecting magistrates, and an act passed by the General Assembly April 22, 1852, entitled "An act providing for



Geo. F. Glauze

the election, qualification, powers, duties, and compensation of Justices of the Peace, Clerks of Circuit and County Courts, Attorneys for the Commonwealth, Sheriffs, Commissioners of the Revenue, Surveyors, Constables, and Overseers of the Poor," made more explicit the said change. At a Court held August 2, 1852, in accordance with a stipulation of the bill, John S. Magill was elected presiding justice. The magistrates by districts were as follows:

District No. 1.—James P. Riely, James R. Brooking, William A. Bradford and Joseph E. Payne.

District No. 2.—James Senseney, Andrew Kidd, Joseph S. Davis and Henry W. Richards.

District No. 3.—Isaac Russell, Abraham Nulton, Mordecai B. Cartmell and Robert Glass.

District No. 4.—Henry P. Ward, David L. Clayton, Robert L. Baker and William J. Rowland.

District No. 5.—Henry H. Baker, Daniel Hinckle, James Robinson and Daniel Collins.

District No. 6.—Felix Good, James Cather, Robert C. Bywaters and Edward R. Muse.

District No. 7.—Joseph Richard, Ananias D. Russell, Joseph Bromback and William Rosenburger.

District No. 8.—John S. Magill, John B. McLeod, Mager Steel and Isaac F. Hite.

At that date F. W. M. Holliday was commonwealth's attorney and Thomas A. Tidball, clerk.

There has been a singular longevity attending the early clerks of the court of Frederick County. The first clerk, James Wood, took the position in November, 1743, and died in the winter of 1759-60; Archibald Wager was appointed and held the place till May 4, 1762; James Keith qualified at the last date mentioned, and held it until he died in October, 1824, having served as clerk *sixty-two years and five months*. Thomas A. Tidball qualified as clerk November 1, 1824, and died April 5, 1856, having served as deputy clerk and clerk for *over fifty years*. At his death his son, Allen S. Tidball, was appointed till a clerk could be elected, and Thomas A. T. Riely being chosen, he qualified June 2, 1856. Mr. Riely having died in 1858, R. E. Seevers was appointed till an election could be held, when James P. Riely, Sr., was chosen and entered upon his duties in July, 1858, and served till August, 1859, when he dying his son, J. Chap Riely, was appointed to fill the vacancy, being afterward at the regular election selected by ballot. He remained clerk from that time until the close of the war, although C. W. Gibbens filled the position by military appointment. Gibbens was succeeded by his son, C. M. Gibbens, but in 1870 J. H.

Sherrard was selected to fill the place. James P. Riely, Jr., came in in 1873, who remained in possession till his death, when, in the spring of 1887, Thomas K. Cartmell was elected, where, the writer hopes, he may remain, if he desires it, for a Keith-term.

CHAPTER IX.

FREDERICK COUNTY AND WINCHESTER AFTER 1800.

POPULATION OF COUNTY AND COUNTY SEAT—EARLY WATER SUPPLY—DISASTROUS FLOODS—OLD STACKHOUSE MILL—WAR OF 1812-14—REVOLUTIONARY VETERANS—THE VALLEY AGAIN TO THE FRONT—ANOTHER MORGAN APPEARS—THE FIRST COMPANY AND THEIR UNIFORM—LISTS OF ALL NAMES OBTAINABLE—DESCRIPTION OF OLD COURT HOUSE AND JAIL—"BLACK BETTY"—PILLORY AND STOCKS—YE ANCIENT MARKET HOUSE—DRAMATIC ENTERTAINMENTS—NAMES OF THE ACTORS—JUDGE HOLMES AS A SINGER—EARLY NEWSPAPERS, PRINTING ETC.—SOME TAVERNS OF NOTE—PHILIP BUSH AND THE "GOLDEN BUCK"—LOUIS PHILIPPE IN SEARCH OF A DINNER—LIST OF CORPORATION OFFICERS—VARIOUS PROCEEDINGS OF THE COUNCIL—SOME POINTERS IN THE CAUSE CELEBRE—FIRE ENGINES AND HOUSES—SCARED COUNCILMEN—SHARP SPASM OF IMPROVEMENT—REMINISCENCES AND ANECDOTES—WILLIAM GREENWAY—SARAH ZANE—STORES, STAGE LINES, TEAMING, DRESS, ETC.

THE population of Frederick County continued to increase with great regularity, and wealth to accumulate, for many years succeeding the great contest for liberty and independence, notwithstanding the extravagance that seems to have been engendered by seven or eight years of privation on the part of the colonies. In 1798 the tithables of the county were 3,996; in 1801 they were 4,802; in 1805, 4,904; in 1810, 4,964 and in 1812, 5,916. This was almost doubling the population, for if the tithables increased at that rate, it is supposable that the balance of the population kept pace with them. Winchester at this date, 1810, contained a population of about 2,000, including about 350 negroes. There were in the neighborhood of 400 houses of all kinds, with many fine stores and fine church buildings, Episcopal, Presbyterian, Lutheran, Methodist and Catholic. But notwithstanding the fine apparel of the ladies, the silk stockings, and knee and shoe buckles of the gentlemen, the excellent schools and other evidences of material prosperity, the streets of the little city were hor-

rible to behold, and some of them simply impassable at times. Teams would "stall" on Loudon and Water streets at the slightest provocation, and the boys had fine sport occasionally in swimming on Loudon near the Run. As late as 1844 David Russell, Jr., and Jacob Snyder, swam from about where the Presbyterian Church stands, to the Run. In 1795 a fearful flood swept through Boscowen and a portion of Loudon Streets; in 1811 another occurred; and still others, May 31, 1818; August 12, 1838; July 24, 1839; October 7, 1846, and August 1, 1855. The water stood fifteen inches deep, on some of those occasions, right in the heart of the town. Up to 1810 no effort to improve the streets was made, not even by macadamizing; they were simply kept up as the county roads were—a little grading and filling up the worst holes. April 10, 1810, the justices, who seem to have had charge of the streets of the town as well as the roads, passed the following: "Ordered that \$300 be levied upon the tithables of this county and included in the next levy for the purpose of enclosing part of the Public Square with a rail fence, and turnpiking or paving the main street opposite to the said square and otherwise improving the Public Square, and that Edward McGuire and William Davison do superintend the same."

The water supply in Winchester has always been a matter of great concern to the inhabitants thereof, and as early as 1761 the passage of an act was obtained in the General Assembly prohibiting the running at large of hogs in the town, "as," the act reads, "they injure the springs and waters generally; *Provided always*, that the act be suspended till His Majesty's approbation shall be obtained." The fine spring located west of the town has always furnished an ample supply of the purest water, and its conveyance to the homes of the citizens for a long time perturbed the city authorities, but at last, about 1806 or 1808, a Dr. Brown was engaged by the corporation to overcome the difficulty. He brought into use machinery for boring the proper sized logs, using horse-power for the purpose. After the logs were bored they were joined by iron rings made sharp on their edges, the logs then being driven into them. The contract was to bring the water to Loudon Street only, and from there the citizens were required to open the ditch, if they wished the water, and the corporation would lay down the connections. The bore in the main logs was two-inch, and the connections one-inch. The waste water from this splendid spring was sufficient for many years to operate a

mill—the old land-mark known as the Stackhouse Mill—now numbered among the things that were, having given place to a railroad depot. That old mill was undoubtedly the oldest building in this portion of the valley, and doubtless dates as far back as 1740 to 1750, James Wood settled upon the land upon which it stood several years prior to 1743, and as a mill was one of the first necessities, what more natural than that he should have built one on his land? There was a Wood's mill somewhere hereabouts before 1750, by the records; and besides, Mr. William G. Russell says that when he was a boy of seven or eight years old, in 1808, the mill was an old dilapidated affair at that time. James Stackhouse, from whom it took its last name, repaired it in 1813, and operated it for some years. Before the introduction of the pipes water had to be hauled or carried from the run at Washington Street. Wells were never very numerous in the town, owing to the immense labor required in penetrating through the solid limestone that underlies this whole region.

The Valley, with the conspicuous promptitude that characterized it at the opening of hostilities in 1775, came to the front when war was declared between our land and Great Britain in 1812, and many an old veteran who had fought with Morgan and witnessed the surrender of Cornwallis, again buckled on his harness and marched to do battle against the invader whom he had helped to drive from our shores over thirty years before. And singular to relate the first company was again raised by a Morgan. Willoughby Morgan, reputed to have been the son of Gen. Daniel Morgan, was a highly educated young man, and studied law in Winchester. He was one of the handsomest men of his time, was over six feet in height, straight as an arrow, and symmetrically built; not fleshy, but strong, powerful and graceful in his movements. His company, the first in the Valley, are said to have all been selected with regard to their size, none of them being less than six feet tall. After some service Capt. Morgan received a commission in the regular army and served with Gen. Scott in his northwestern campaigns, in one of the battles of which he was killed. The uniform of Morgan's company at first consisted of a blue nankeen hunting shirt, fringed with red around the bottom, with a small cape around the shoulders, also fringed with red, the sleeves being similarly fringed; red flannel leggings, and a round top felt hat with a buck-tail stuck in the front.* After Capt. Morgan left the

* This description was given the author by Mr. W. G. Russell, who, when a boy of thirteen years of age, saw the company marching along London Street.

company, it was disbanded for a time, but was reorganized by Capt. Thomas Roberts. The names of those forming that company as far as can be ascertained were: Thomas Roberts, William Roberts, Alexander Holliday, William Ball, William Campbell, Solomon Heister, William C. Holliday, Jacob Baker, Charles Conrad, Nicholas Burwell, Augustus Streit, Peter Bowers, John Bowley, James Bennett, Joshua Reed, John Denny, Andrew Bush, Presley Hansbury, James Vance, Sandy Hutchinson, John M. Magson, Richard Beckwith, James Barr, (fifer), Stewart Grant, Isaac Lauck, John Sloat, James Meredith, Philip Sherrer, John Foster, Philip Hoff, John Price, Isaac Kurtz, John Miller, Richard Holliday, Philip Bowers, James White, John Carter, George Rice, John C. Clarke, Robert Jack, George Swallum, Solomon Spengler, Jonas Ashby, William Kain, Lewis Beatty, John Everly (drummer), John W. Miller.

Capt. William Morris also organized a company of fifty-one members. The following list was furnished the *Winchester News* several years ago by Thomas Foster, who obtained it from the archives in Washington. It was an artillery company: William Morris, captain; George W. Kiger, first lieutenant; Isaac Lauck, second lieutenant; William Streit, third lieutenant; John Poe, fourth lieutenant; William Van Horn, first corporal; William Young, second corporal; Nathan Parrell, third corporal; William McFee, fourth corporal; John Day, fifer; John Everly, drummer. Privates: Daniel Gray, John Allen, Thomas Austin, William Barnes, Levi Booker, Francis Beckwith, David Cather, John Cooley, Louthan Cochrane, Joseph Kremer, Robert Davidson, William Dalby, John Fenton, John Farmer, Thomas Foster, Roger Fulkerson, Richard Gibbs, John Hoffnagle, Samuel Herdsman, William Hutchinson, George Heinrich, John Johnson, John Haas, John Hoffman, John Hesser, Asa Joyce, Richard Jones, Daniel Kiger, John Keeler, John Klyfustine, Thomas Lafferty, John Miller, John Morris, James McCann, Craven Shaw, John Schultz, George Schreck, Elisha Winn, Henry Young.

Several other companies left this portion of the valley. One was commanded by Capt. Michael Coyle, with William Throckmorton as first lieutenant, and the names of some of the privates, which have been preserved, are Daniel Brown, John V. Brown, Frederick Aulick, Jacob Lauck, Henry Sloat, Isaac Russell, Jacob Mesmer, Robert Long, John M. Magson, who had been in one of the first companies, also, Benjamin Scrivener, Michael Copenhaver, Jacob Copenhaver, Henry Crebs

John Coyle, William Jenkins, John Jenkins, Stephen Jenkins, J. Foster, S. Hester. These three companies were the only uniformed companies that left Frederick County, but there were a number of other persons who were members of other commands whose names are now forgotten. Roberts' and Morris' companies went to Norfolk and Coyle's to Baltimore. At the time of the British advance on Washington Judge Henry St. George Tucker raised a cavalry company for ninety days. They got as far as Harper's Ferry, but, having learned of the departure of the enemy, returned. They afterward went to Norfolk. Capt. Peter Printz commanded a company of militia, and Capt. Anderson and Miller were in the quartermaster department. Natty and Jacky Ryan, two young Irishmen, also enlisted in the service at the barracks in Winchester, and Natty was killed. Zachariah Crawford, Evan Thatcher, Henry Glaize, James Welch, Sampson Touchstone and Richard Jones, were also soldiers from this section. A recruiting station was maintained, and the headquarters was in an old long weather-boarded house on Braddock Street. A number of prominent officers were here, and among them were Gen. Peyton Smith, Maj. Kean, Angus McDonald, Simon Owen and others. The unfortunate duel that took place between Gen. Peyton Smith and Hunter Holmes originated in that old building. While the soldiers were encamped in a grove at the southern end of Winchester a Methodist minister, Rev. Richard Furguson, frequently preached to them. Lorenzo Dow, the famous and eccentric preacher, also preached in the same grove.

From Mr. Russell's notes on the early events and structures of Winchester the following is taken: "The Episcopal Church and graveyard took in about one-fourth of the public square. A stone wall covered with plank surrounded that portion now taken in by the Kerr and Senseny buildings. The church stood about ten feet from the line of the wall on Loudon and Water streets, affording a wide pavement. The entrance to the yard was on Water street. Before the building of the old stone jail there was a log one built way back in the other century, but it was destroyed by fire. It stood just about where Bantz's shoe store now is. The Clerk's office, built in 1805, stood about where the present one stands. It was of stone, arched inside with brick. The Court House square was enclosed with a post and rail fence, and in the center of the yard stood 'Black Betty'—the whipping-post; also the pillory and stocks.

"One of the gable ends of the court house faced on Loudon street, and had up in the angle a 'bulls-eye' round window and with a roof projecting some ten feet. There were doors in each gable end, but the front was toward Water street, and had large stone steps at the main entrance. Until the removal of the hill in front of the Conrad property the old court house stood the wear and tear of time very well, but at the tearing away and blasting of the hill, the building became undermined and was considered unsafe. The steeple which contained the bell was considered very fine in that day. The interior of the court house was well arranged. Entering the door you passed under a stairway which led to the jury rooms on the southwest corner. These rooms were about fifteen feet square, and furnished with benches. On the main floor, nearly opposite the door, was the Clerk's desk, raised about four feet above the floor. Benches were arranged for the juries. On the north end was the hustings for the judges and justices. The 'bar' was railed in for the lawyers."

In regard to the first stone jail and the old Market House Mr. Russell says: "The jail was about fifty feet square, facing on Cameron Street, with a yard running 100 feet on Boscowen Street. It was a low building and looked squatty. It was burned January 25, 1843. The building stood somewhat back from the street, the north side against a bank some five feet high, so on that side the top of the wall was not over eight feet high. On the west side of Cameron Street there was a wall fifteen or twenty feet high the whole length of the Market House, which was about seventy feet long. This wall was surmounted by a heavy log into which were morticed posts, and railings were placed at each end. The wall embanked a hill, and perched up on top of this hill stood the Market House—the old stone one—fifteen feet above the level of the street. It was a rough and rugged looking building two stories high, with six arches, all open, and above each arch a small window. The upper part was used as a town hall. An interior stairway led to the court and council rooms, and to the Masonic lodge room, as well. In 1815 the Masons and the corporation in conjunction put up a brick building on the north end, twenty feet on Cameron, and the width of the end of the Market House. Over the Market House the room was about sixty or seventy feet long, with fire-places in each end, used for public meetings, concerts, shows, etc."

A dramatic association called "The Thespian Society," performed

in the old Market Hall several times during 1820 and 1821. The names of some of the plays they produced were, "The Glory of Columbia," "The Wife of Two Husbands," "Old Mother of Glastonbury," "Old Tom Wiggins," etc. The members of the company were, Robert Meniffee, John Hesser, Samuel H. Hall, Josiah W. Ware, Peter E. Sperry, S. H. Ball, W. G. Russell, David Z. Brown, Nash Gordon, Madison Hewlett, J. G. Heist, John B. D. Smith, John Turner, Samuel Campbell, Israel Cooper, William Lauck, John Edmonds, David Russell, George E. Edmondson, George Schultz, Samuel Reed, William Sperry. Peter Sperry was a splendid delineator of the Irish character, and never failed to bring down the house when he appeared upon the stage with his hat on the side of his head, a shillalah in his hand and a short pipe in his mouth. John Hesser was an excellent singer, and during one of the performances, while he was rendering "Hail Columbia" in his best style, he so aroused the patriotic ardor of the audience that Judge Holmes stood up and joined in, all the balance of the audience following him. They made the old hall ring.

A dramatic society formed in 1825, met in a house on Loudon street, near Piccadilly, and the members were George Schultz, William C. Anderson, Samuel Reed, Isaac Hoff, J. S. Heist, W. G. Russell, Isaac Matthias, Jacob Everly, William Sperry, William Schultz, H. P. Ward, John Turner, J. B. Smith, John J. Smith, John Hesser and J. G. Heist. They also gave public performances.

Another company of amateur players performed in the old Methodist Church on Cameron Street in 1827. Some of the members were James Darlington, George Baker, J. George Heist, James P. Riely, John J. Harris, John S. Heist, John Charles, Samuel Johnson, C. Toler Wolfe, Joseph Hamilton, J. W. Hollis and A. Seal.

Richard Bowen, who started the *Centinel* newspaper in Winchester in 1787, continued to publish a paper here for many years after 1800. He was a tall, fine looking Englishman, according to Mr. Russell, over six feet in height, and wore, till his death, short clothes, with blue silk stockings and silver knee and shoe buckles. He must have gotten control of the rival sheet, the *Gazette*, after some years, for he published that paper in a two-story building on Boscowen Street, between Loudon and the alley at the Lutheran Church. The paper passed from Bowen to Collett; then to John Haas, John Heiskell, Freeland and Lewis Eichelberger, and others, including the late Judge J. H. Sherard, who also published the *Virginian* about 1827. Jonathan Fos-

ter published a paper about 1810-11. He purchased from Frizzell, who purchased from Lingan, said to have been the same who was killed in 1812 by a mob in Baltimore. Foster and James Caldwell published a paper called the *Constellation*. They were very enterprising printers, and published several books, "The Olive Branch," by Mathew Carey; "The Irish Emigrant," by Adam Douglas, and the "Horse Farrier," compiled by Foster. Mr. McGlashell bought the *Constellation* from Foster, who in turn sold to J. G. Brooks, from whom it passed to S. H. Davis, then to Gallaher, then to Towers. Peter Printz started a printing office about 1824, and issued the *Winchester Republican* for many years. L. Eichelberger published the *Virginian* for several years preceeding and after 1839. E. C. Bruce also published the *Virginian* for several years prior to the late war. He sold to J. J. Palmer, who moved the office up the valley in 1862, where it was destroyed. George E. Senseney published the *Republican* for a number of years before the war, and sold to Nathaniel B. Meade, who ran the paper until Gen. Banks came into the Valley, in the spring of 1862, when the plant was destroyed by the soldiers.

In 1865, on the first day of July, the *News* was started by G. R. Henry, P. L. Kurtz and H. K. Pritchard, and continued under that management till September, 1888, when the News Publishing and Binding Company was formed, Dr. J. F. Ward and R. M. Ward being the proprietors. During this same year, 1865, the *Winchester Times* made its appearance, with Goldsborough & Clark as editors and proprietors. Clark retired and the firm became Goldsborough & Russell; then Goldsborough ran it alone. Maj. R. W. Hunter then obtained control, but afterward sold a half interest to Mr. Beall, and the firm became Hunter & Beall. Beall retiring, Mr. Hollis purchased an interest, and the firm became Hunter & Hollis; then Hunter ran it alone, but afterward sold a half interest to T. W. Harrison. Hunter sold his other half to R. E. Byrd, and in 1883 the *Winchester Times* Publishing Company was formed, and November 7, 1884, Col. William Riely took the management of the paper and still retains it. In 1865 A. M. Crane started the *Journal*, a Republican paper, and ran it for three or four years. It finally passed away, and Mr. Meade purchased the material and started the *Sentinel*, a Democratic paper, which ran about one and a half years, when it, too, disappeared. In September, 1884, T. H. Gosorn commenced the publication of the *Leader*, a Republican paper, which still runs successfully.

The tavern of Maj. Edward McGuire was started before the Revolution, and as has been shown in another place, was a famous house of resort for many years succeeding the great war for independence. It continued in notoriety after the beginning of the present century, and the spot where it stood has ever since been occupied as a hotel site; the original house kept by McGuire is described as being two long log and weather-boarded buildings, fifty feet each in length, with an alley dividing them. Next to McGuire's stood another tavern, a stone building kept by an Irishman named Brady, and it was, in the rear of this house, where in 1808 the first elephant ever exhibited in the valley made his debut.

Philip Bush kept a noted tavern for many years on Cameron street, south of the run. It was a fine large stone house, two stories high and some fifty feet in length. It was considered the fashionable hotel of Winchester in its day, and nearly all the dignitaries and foreign worthies sought Mr. Bush's hostelry when sojourning in these parts. In front of the door stood three or four willow trees, and in the yard was a large English walnut tree. Also, in front stood the sign post, and at its top was a fine gilded deer painted on the sign board. The tavern was known as the "Golden Buck." Landlord Bush, who was from Mannheim, Germany, was an irritable though kind-hearted man, and had, withal, an utter dislike to royalty and all the airs of royalty, and an illustration of this peculiarity is given in an anecdote related by the late C. Toler Wolfe, who got it from Dr. Philip Hoff (a brother of Lewis and John Hoff), who was in the habit of frequenting the Golden Buck in its palmy days. The story, in substance, is as follows: During the temporary absence of Mr. Bush two distinguished looking gentlemen alighted in front of the "Buck," and requested to be shown to a private room. "Old Sam," the servant, perceiving that the guests were no ordinary mortals, hustled around and did the honors in great shape. It being about the dinner hour, the two gentlemen ordered their meals to be served in their room, and although this custom was unknown at the Buck, Sam began to comply with the request. In the meantime Philip returned to his house, and as Sam was conveying a tray of eatables to the upper floor he discovered him, and was informed that the guests had ordered their dinner upstairs. The irate old landlord rushed to the room of the strangers, and told them if they were too good to eat at his table that they were too good to stay at his house, and ordered them to leave instantler. They

informed Bush who they were—that one of them was the crown prince of France and the other his brother, the Duc de Chartres, who were then in exile from their country. Bush replied that that fact made it so much worse, and he would not keep them at any price. They then pointed to his sign in proof of their having a right to demand public entertainment, whereupon the now fully aroused old landlord rushed to his wood-pile, and grasping his axe was about to hew down his sign-post, exclaiming, "Come down, Buck!" when the polite Frenchmen told Philip that they would go farther on. The prince was afterward Louis Phillippe of France.

In 1812-14 McGuire's tavern was the headquarters of the military gentlemen. Gen. Wilkinson, Col. Preston, Lieut. Shambaugh and others stopped there. Nearly opposite McGuire's Daniel Linn kept the "Golden Sheaf." Linn was a good-hearted man and met everybody with a pleasant smile. Around the sheaf on the sign was the legend, "May our country never want bread." William Van Horn kept a tavern on the corner of Loudon Street and Fairfax Lane. Brady's was the "Indian Queen." South of the run was the "Columbian Inn," kept by Capt. Peter Printz, who had been a gallant soldier in the war of 1812-14. Still further south on Loudon Street, where the Presbyterian Church now stands, was a large log and frame building kept by Henry Bush, son of Philip Bush. After Bush came Elisha E. Russell, John C. Clark, Mrs. Edmund Pendleton and John Pitman. On the hill, corner Loudon and Monmouth Streets, the "Wagon and Four Horses" was kept by Elijah Walker. After Walker the house was kept by Benjamin Richards and William Hurr. Opposite Walker's a house was kept by Philip Amik. Further on Mrs. Hollenbeck kept a house, afterward by Benjamin Lanley. Mr. Osborne kept a tavern on Cameron Street, mostly for town trade. L. T. F. Grim kept a tavern which was afterward kept by Henry Fridley, then by Robert Brannan. Mr. Edmonson kept a tavern on Braddock Street which was afterward kept by William Doster. Peter Lauck's tavern, the "Red Lion," was on the corner of Loudon and Cork Streets. It was afterward kept by Edmund Pendleton, James Bryarly, Col. George Kiger and Josiah Massie. Later on Bushrod Taylor ran a stage line from the hotel named after him, he succeeding Barrick, who had succeeded Edward McGuire. The line ran from Winchester to Alexandria, and was a great public convenience at that time when railroads were only begun to be thought of. Winchester has always been

a good point for hotels, as it was, and still is, the "getting off place" for several of the noted springs and summer resorts of this section.

For the purpose of preservation and reference the following lists of officers of the city of Winchester, as fully as seems necessary for the matter in hand, are here given. There are no records of any officers earlier than the date 1804, as the books, if there ever were any, are now not to be found.

At a court of hustings, held for the corporation of Winchester on Friday, November 2, 1804, there were present:

Mayor, Lewis Wolf; recorder, Joseph Gamble; justices, Nathan Anderson, Charles Brent, Jr., Henry Bush, William Ball.

John Peyton having died, Thomas McKewen was chosen clerk by the justices, and the vacancy created by the resignation of McKewen, who was commissioner of the revenue, was filled by the appointment of Charles Brent, Jr.

March 1, 1805.—Charles Magill having been elected, was sworn in as mayor; Lewis Wolfe, as recorder; Charles Brent, Jr., Nathan Anderson, Joseph Gamble and Henry Beatty, aldermen.

Justices.—Charles Magill, Lewis Wolfe, Charles Brent, Jr., Nathan Anderson, Joseph Gamble, Henry Beatty.

Councilmen.—Samuel Colvert, Goldsmith Chandler, Simon Lauck, Peter Lauck, William Ball.

February 28, 1806.—Mayor, Lewis Wolfe; recorder, Charles Magill; aldermen—Charles Brent, Beatty Carson, Abraham Miller, Joseph Gamble; justices—Lewis Wolfe, Charles Magill, Charles Brent, Abraham Miller, Beatty Carson, Joseph Gamble; councilmen—Goldsmith Chandler, Nathan Anderson, John Brady, William Ball.

February 27, 1807.—Mayor, Charles Brent; recorder, Beatty Carson; aldermen—Samuel Colvert, Abraham Miller, John Baker; justices—Charles Brent, Beatty Carson, Samuel Colvert, Abraham Miller, John Baker; councilmen—Lewis Barnett, William Doster, Joshua Newborough, Simon Lauck, Jacob Poe.

March 4, 1808.—Mayor, Beatty Carson; recorder, Charles Brent; aldermen—Abraham Miller, Nathan Anderson, John Baker, John Crockwell; justices—Beatty Carson, Charles Brent, Abraham Miller, Nathan Anderson, John Baker, John Crockwell; councilmen—Daniel Overaker, Simon Lauck, John Schultz, Peter Harn.

March, 1809.—Mayor, Charles Brent; recorder, Beatty Carson; aldermen—Henry St. George Tucker, George Reed, Joseph Gamble;

justices—Charles Brent, Beatty Carson, H. St. G. Tucker, George Reed, Joseph Gamble.

February, 1810.—Mayor, Beatty Carson; recorder, Charles Brent; aldermen—Abraham Miller, George Reed, Henry Beatty; justices—Beatty Carson, Charles Brent, Abraham Miller, George Reed, Henry Beatty.

March, 1811.—Mayor, Joseph Gamble; recorder, Beatty Carson; aldermen—George Reed, John Bell, John Barton, Abraham Miller; justices—Joseph Gamble, Beatty Carson, George Reed, John Bell, John Baker.

The order book or books of the corporation from the last date, 1811, are missing till 1843, but the officers from that period will be continued to the present time, before giving some of the more important proceedings of the common council, which, fortunately, are extant from 1819 to 1850.

In 1843 James P. Riely was elected mayor, and Lemuel Brent was made clerk. Riely sometime afterward resigned, and George W. SeEVERS was elected, who continued in office till 1847, when J. H. Sherrard was elected and continued in office till the close of the late war, although for several years during the existence of hostilities no business was transacted.

In 1865 Robert Y. Conrad was elected mayor, and the following appears as the first entry in the books:

August 7, 1865.—The mayor, recorder and aldermen-elect of the corporation of Winchester assembled in the clerk's office of the corporation of Winchester (the place appointed by a previous order of the court for holding said court by reason of the destruction of the court-room proper by the Federal army), pursuant to an adjournment of Saturday the 5th of August, 1865, by the commissioner appointed by the governor of Virginia, T. A. Pierpoint, for the purpose of organization.

Present: R. Y. Conrad, mayor; Joseph H. Sherrard, recorder; Elijah McDowell, alderman-at-large, and W. G. Russell, Frederick Schultz, Oliver M. Brown, William D. Brown, aldermen of wards, who severally took the oaths prescribed by the third article of the constitution of Virginia, before Henry M. Brent and William A. McCormick, commissioners appointed by the governor of Virginia for holding an election of legislative and judicial officers for said corporation. Said Robert Y. Conrad, mayor, also took the oath of office before said

Henry M. Brent and Dr. William A. McCormick, commissioners aforesaid; and the recorder and aldermen, whose names are also set out, took the oath of office before Robert Y. Conrad, mayor; thereupon the court was organized, and appointed William G. Singleton clerk pro tem.

Judge Conrad retained the position till 1868, when George W. Ginn was elected. In 1870 Capt. L. N. Huck was elected. From 1872 till the spring of 1876 Rev. J. B. T. Reed filled the place, when W. L. Clark was elected and continued till 1884, at which time John C. Williams took the municipal reins; in 1886 Richard L. Gray, the present genial clerk of the corporation, came into power, and in 1888 William M. Atkinson, the present incumbent, stepped to the front, who gracefully wears the robes of municipal state.

To return to the proceedings of the corporation council: After reciting the fact that two amendments had been made to the original act incorporating the town of Winchester, and another declaring justices of the peace of Frederick County residing within the corporate limits of the town to be eligible as members of the common council, the first ordinance passed prescribes the duties of the treasurer and town sergeant. This was in 1820, at which time, also was passed an ordinance providing for the appointment of a committee of accounts. March 12, 1822, foot-ways were ordered to be placed on both sides of Boscowen Street from Loudon to Washington. At this same meeting of the council an act setting forth and commanding a number of progressive movements was passed, viz.: For the appointment of a superintendent of police; keeping streets, alleys, and gutters clean; to give information of nuisances; for the employment of scavengers; to contract for the sale of dirt taken from the streets; to clean snow and ice off of pavements; to remove snow from public square (a pointer for the city in the *cause celebre*); no porch to be erected on any paved street, except within certain limits; regulating building materials piled upon streets; wagons not permitted to stand on streets unless in actual use; carriages not to be driven at an unusual rate of speed; horses not to be galloped; about slaughter houses, out-houses, distilleries, soap-boilers, hatters, etc.; not to bound or chase any horse or cow, or throw at them in the streets; regulating lime-kilns. not to fire cannon or muskets in the town; regulating market, weights, measures, butchers, hucksters, etc. An ordinance was passed for widening and deepening the town run; also an act for the "preservation of

good order on the Sabbath, and for the suppression of other disorderly conduct of slaves and others." Patrol appointed, and slaves must be in at 10 o'clock, p. m. An act was passed for the curbing "the sidewalks from Fairfax Lane on the west side to Piccadilly street." The rate of taxes as set at this time was: On houses and lots for every one hundred dollars, \$2.50; every tithable person, \$1; male dog, \$1; female dog, \$10.

October 28, 1826, the council appropriated \$50 for erecting an engine house "fronting on Water street in the corner formed by the walls of the Episcopal church yard and the court house yard, and the space in front of the house to be graveled." Beatty Carson, John Bell, and Samuel H. Davis were commissioned to contract for and superintend the same (another pointer for the city). A town clock was ordered to be procured, at a cost not exceeding \$750, to be placed in the steeple being erected on the court house. Alexander S. Tidball, S. H. Davis and Daniel Lynn were commissioned to procure said clock and have it put up. The year 1826 was an extremely unhealthy one, and they blamed it on the uncleanness of the streets; so the next year the council instituted measures for obviating any return of the great distress that prevailed. They regulated the using of the public hydrant, when they must be let run, and for cleansing the gutters, etc.

An act passed this year, 1827, looks rather favorable to the city—seems as though they had charge of the public square at that date, at least. For the council enacted that "no person shall place anything in or on the walls enclosing the public square, the court house wall, or the wall in front of the south end of the court house."

February 7, 1829, an ordinance was passed to lay cast-iron pipes from the spring to the jail of six-inch dimensions; those on Loudon Street to be three-inch, and those on the other streets to be two-inch, excepting Stewart, Piccadilly and Boscoven Streets, east of Cameron, which are to be one and one-half inch. Those to be used in conveying water from the main pipes to hydrants to be two-inch. John Heiskell, Alexander S. Tidball, John Bell, William L. Clark and Henry M. Brent were appointed commissioners to contract for the purchase of the pipes. \$10,000 was borrowed and stock issued, redeemable in 1838. Lead or iron pipes not over one inch in diameter were to be the only ones used by private parties to their hydrants. In this year a building was ordered to be erected at the southwest corner of the jail wall, 21x12 feet, two stories in height, the lower portion to be used for the

fire engine and the upper stories for a watch-house. Lamps were also ordered to be placed at various points on Loudon and Cameron Streets, and the next year, more of them were ordered to be put up on other streets.

April 16, 1832, a new fire engine was ordered to be purchased, to cost \$800, to be seven and one-half inch, thirty-man power, nozzle three-fourths inch, play 170 to 175 feet. John W. Miller, Edgar W. Robinson and John Heiskell were appointed committee to purchase. Shortly afterward an engine house was ordered to be built on the public square, fronting on Loudon Street, but the plan was subsequently changed to a building of larger dimensions.

The cholera appearing in the United States during this year, 1832, the city fathers in August, appointed a committee consisting of Dr. John R. W. Dunbar, John W. Miller, John Heiskell and Thomas B. Campbell to take such steps as they deemed necessary to prevent the appearance in Winchester of the dread disease, and by October they became seriously alarmed and passed the following:

"Whereas, at the present crisis when death in all its terrific forms, is sweeping off its thousands and tens of thousands of our fellow men, and whereas the disease which has proved such an appalling scourge to almost every region of the world, is advancing towards us with slow but apparently certain strides, it becomes us as members of a Christian community, to discountenance and suppress (for the present at least), all public exhibitions calculated to bring together large assemblies of people of all classes and habits, and affording to a certain class of our population, opportunities to indulge in the intemperate propensities, therefore, be it enacted by the President and Common Council of the corporation of Winchester, that the exhibition of all public shows, circuses or theatrical performances, be, and the same are hereby prohibited until the first day of April next. The penalty was \$20."

The health committee was also augmented by the following gentlemen: Dr. Holliday, Dr. Davison, Joseph H. Sherrard, Dr. H. H. McGuire, Dr. William D. McGuire, Beatty Carson, Isaac Russell, Dr. Ro. T. Baldwin, Dr. James R. Conrad, John R. Cooke, Dr. A. S. Baldwin and Charles H. Clarke.

Having purchased the engine and built a house or two for it, it was necessary to procure some other apparatus, so June 29, 1833, the council ordered the purchase of two hose-carriages; 250 feet of



Engraving by H. H. Smith

Gen. H. Burton

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large and 125 feet of small hose; two large water tubs, four chacks and chains, two hydrant wrenches, two fire-hooks, four axes, two ladders and four torches, and John M. Brome, Thomas B. Campbell and Lewis Lindsay were appointed a purchasing committee.

Daniel Gold became president of the council in the spring of 1834, and a general spirit of improvement seems to have pervaded that body, as acts for the improvement of most of the streets, alleys and roads were passed. The walls enclosing the public square were improved and the bridges over the run were repaired. John Bell, Henry F. Baker, John Miller, John M. Brown, Thomas B. Campbell, John F. Wall, Beatty Carson, Godfrey Miller, Jacob Baker, James P. Riely, Abraham Miller, John Price, Lewis Lindsay, William Henning, Frederick Schultz and John B. Campbell were deputed to attend to the public improvements.

In 1835 the council ordered the purchase of the Tidball spring, and in 1836 the purchase of a suction engine, for \$750 and additional hose, hooks, ladders, etc. The Baltimore & Potomac Railroad was given permission to have space in the public building for a ticket office, and further improvement of the streets was ordered. Robert Y. Conrad, Robert Brannan, David Russell, Abraham Miller, John Bruce, David W. Barton, Bushrod Taylor and Mr. Senseney were ordered to carry out the designs of the council.

In 1838 \$50 were appropriated toward building an engine house on the corner of Loudon and Monmouth Streets, and \$25 to the Friendship Fire Company to repair and paint their engine. In 1839 an act was passed authorizing a loan of \$25,000 to pay the subscription to the Valley Turnpike Company.

In 1840 the General Assembly of the State, by petition of the citizens, changed the charter of the town so that instead of voting by wards, a general vote of the voters should be sufficient to elect councilmen, etc. In 1847 the council appropriated \$75 to the Eagle Fire Company, and in 1848 an act was passed appropriating annually the following sums: To the Sarah Zane Company, \$125; Union, or Eagle, Company, \$75; Friendship Company, \$50.

But here is an order that is calculated to give the "city's case" a black eye, for it reads: "Whereas, the County Court of Frederick County at its June Term passed an order that leave be granted to the corporate authorities of the town of Winchester to erect suitable buildings for the fire engines on any part of the public square, except

on the west or northwest of the court house, be it enacted, etc." This act was amended by ordering the houses to be built elsewhere.

In 1850, the Winchester & Berryville and the Front Royal Turnpike Companies each received a \$10,000 subscription. August 24, 1855, gas was introduced, and in 1889 the old town was brilliantly illuminated with electricity.

In closing this chapter, a number of incidents related to the author by William G. Russell, Esq., now in his ninetieth year, the oldest living land-mark in this section, whose faculties are still almost perfectly preserved, whose education and social position has been well adapted to the obtaining of the facts furnished, will here be given.

It was a tradition that the members of Morgan's first company, when they encamped at the spring near Shepherdstown in 1775, had all agreed to meet at that spot fifty years from that time, should they be living. At the expiration of that time two old men appeared on the spot, both of them from Winchester, and the fact was so stated in the papers. Shortly after this was published Mr. Russell went to Tennessee on a visit to his uncle, William Greenway, a soldier of the Revolution, and while there the young man (Mr. R.) read the accounts as published of the meeting alluded to, with the additional remark of the editor that the old veterans were all dead but the two who met at the spring, whereupon Mr. Greenway sprang to his feet, jumped into the air and cracked his heels, exclaiming, "That's a lie; here's one of them!" And he was, too, being at that time over seventy years of age.

Way back in the 20's, there lived in Winchester an old Revolutionary soldier named Mark Hays. He was a peculiar old character, used to ring the bell for auctions, etc. He was helping to dig a well near where the gas-house is now located, and in blasting the rocks the fuse was shorter than Mark expected, so it exploded the powder prematurely and blew the old veteran into an apple tree, from which he was rescued entirely unhurt.

In the early days a brutal case of mayhem occurred out in the mountain, not far from Winchester. A man named Rudolph, through spite for her father, bit one of the ears off of an innocent little girl, on meeting her alone. The miscreant was pursued by a man named Joseph Parker, \$500 reward being offered for his capture. Parker discovered Rudolph up a tree, and, as he approached the fugitive, received a shot in the shoulder; but, notwithstanding his being

partially disabled, made the villain come down, tied him, and marched him off to the authorities. He was sentenced to the penitentiary, and Parker got his \$500, besides other funds.

It is related that on one occasion Mr. Marshall went to William Ball and Peter Schultz to collect his "quit rents." Schultz reached for his old musket he had used at the storming of Quebec and told the collector to "git out o' here in double quick," and he went pretty lively. Old man Ball grasped his sword and flashing it around his head two or three times, informed the gentleman (Mr. M.) that Morgan had seen him use that, but "I'll use it now when he don't see it, if you come fooling around here." Those old Revolutionary heroes, as the year came round, were in the habit of "celebrating" their soldier days, and Mr. Russell says they had *high old times*. Get "full?"—well!

Several of the Hessian prisoners remained in Winchester after the Revolution, and some of their descendants are said to be living there still. The boys, in consequence of the stigma attached to the unfortunate old fellows, who were only either sold to the English or were soldiers of fortune, making arms their profession, used to poke a good deal of fun at them. There was one, named, Gyer, and the mischievous lads used to cry after him, "Hessian Gyer! Hessian Gyer!" One Sunday old man Gyer went to hear Rev. Reck, a Lutheran minister, and it so happened that the preacher took his text from Hezekiah, having occasion to repeat the word several times. Gyer, who was on a front seat, dressed in his velvet breeches, blue stockings and silver buckles, rose to his feet and said, "Mr. Reck, you call me Hessian Gyer, I no stay."

Miss Sarah Zane, the daughter of Col. Isaac Zane, a man whose name appears as one of the first justices to take the oath of fealty to the commonwealth when she threw off the British yoke in 1776, spent much of her time in Winchester. She boarded with Mrs. Christian Streitz; she also stayed with the Baldwin and Mackey families. She was a woman of fair size, compactly built, and rather good looking, with an extremely benevolent, pleasant and kindly face. She will always have a warm place in the hearts of Winchester people, and especially among the fire laddies.

About 1815 land and other property depreciated fifty per cent, and great stagnation in trade was the result. This lowering of values was undoubtedly the result of the extravagance that followed the

natural exuberance of spirit that prevaded all classes at the favorable ending of the struggle for autonomy on the part of the colonies. But by 1820 to 1825 another reaction occurred, and business went booming along. Hundreds of persons could be seen daily on the streets of Winchester, some of them coming 75 to 100 miles with pack-horses for supplies, for there were very few good wagon roads over and through the mountains to the westward at that time. These pack-horses carried everything, even furniture, and it was a curious sight to see piled upon the back of a horse tables and chairs. Bar iron, one of the most awkward articles to transport on horse back, was bent to the proper shape, all the stores that kept it having large heavy logs with staples driven in them around which the iron was bent to the shape of the horse. Teaming along the valley pike was a tremendous business before the railroads were constructed, and long lines of six-horse teams with those large, partially boat-shaped, wagons, appropriately called "land schooners," could be seen, sometimes as many as fifteen or twenty in company, and with bells upon every horse. Their pleasant jingle was particularly inspiring. The old stage lines were an interesting feature, and the regular arrival of them with the mails was an event looked forward to by every body.

In regard to dress, our aged informant is quite interesting. In cities and towns the men generally wore short breeches, black velvet, if it could be had, with yarn or silk stockings, and with knee and shoe buckles, the vest was very long, cut off at the corners, and with huge pockets. It would sometimes be made of different colored goods, so that when lapped over and buttoned one way it would be blue, and another way it would show red or yellow. The coat was a "shad-belly," of various stuffs. The buckles on the shoes were sometimes three or four inches in length. The three-cornered cocked hat was used by almost all "gentlemen," as the old Revolution had made it very popular. In the country the men usually wore a hunting shirt. The breeches were of all styles. Sometimes they were like bags, with a red or blue ribbon in the bottom to draw them close. When short breeches were worn the boots were long, and at the top a portion turned down about six or eight inches, generally of buff colored leather. When short breeches went out of fashion the "Suwarrah" boot came into vogue. It was long, but was pressed down and wrinkled and some of the old "bloods" took as much pains in "wrinkling" their boots as a modern belle does her sixty-four-button undressed Bernhart kids.

CHAPTER X.

MODERN FREDERICK AND THE TOWNS.

THE BENCH AND BAR—EMINENT EARLY SETTLERS—THEIR FAMOUS DESCENDANTS—LISTS OF LAWYERS—SOME NOTED NAMES—SUPERIOR COURT OF CHANCERY—JUDGE TUCKER'S LAW SCHOOL—DISTINGUISHED GRADUATES—A BRILLIANT GALAXY—CHURCHES AND MINISTERS—CLAIMS FOR THE FIRST CHURCH—THEORIES THEREON—REV. WILLIAM WILLIAMS, FIRST PREACHER—TWO EARLY CHAPELS—FREDERICK PARISH—LORD FAIRFAX AND HIS BEQUESTS—ALEXANDER BALMAINE—CENTENARY REFORMED CHURCH—EVANGELICAL LUTHERAN CHURCH—PRESBYTERIAN CHURCHES—METHODIST EPISCOPAL CHURCHES—CATHOLIC CHURCH—UNITED BRETHREN CHURCH—FRIENDS' MEETING HOUSE—BAPTIST, CHRISTIAN, CHURCH OF GOD AND COLORED CHURCHES—THE CEMETERIES—HONORS TO THE HEROIC DEAD—EDUCATIONAL—SPLENDID SCHOOLS—FIRE COMPANIES—PUBLIC IMPROVEMENTS—INDUSTRIES—SOCIETIES—STEPHENS CITY, MIDDLETOWN, AND THE VILLAGES—GENERAL SUMMING UP.

WINCHESTER from its very foundation, and Frederick County as well, has always been the center and seat of much cultivation, courtesy and patriotism. At first it was so from force of circumstances, Winchester being the point at which the first court of justices was organized (1743) throughout not only the entire Shenandoah Valley, but stretching to the southern boundary of the State, the organization in Augusta County not occurring until two years later (1745). Afterward, during colonial times, and from the Revolution onward, notwithstanding the rise of rival towns and cities in the valley and in other sections of the two Virginias, Winchester has maintained its ancient prestige as the mother of many eminent men and women and a home for learning and refinement. The social standing of its very early pioneers was above the average of those who usually make new settlements. Such men as Richard ap Morgan, Morgan ap Morgan, Welshmen of gentle birth; Marquis Calmes, the Huguenot; Thomas Ashby, James Wood and Thomas Rutherford, Englishmen of education; Andrew Campbell, Lewis Neil, George Hoge, Scotch-Irish Presbyterians; the Van Metres and Swearengens, Hollanders of enterprise; Dr. Frederick Conrad and Yost Hite, the wealthy Ger-

mans; the Cartmells, the Hollingsworths and many others, all were here not long after 1730. These old leaders in the vanguard of civilization could not fail to leave an impress of simple grandeur upon their time, and many of the descendants of these sires are still foremost among their fellow-men. Some have gained well-merited fame, many have reached the highest stations conferable by their constituents, while one (to name a glorious instance) is embalmed in the heart of nearly every man, woman and child who was fortunate enough to have seen the knightly trooper, the intrepid leader, the courtly gentleman—Gen. TURNER ASHBY, the Chevalier Bayard of the Civil war.

Other representative men came in over 100 years ago whose characters are felt to-day, but almost from the moment that Lawyer James Porteus, the first attorney to make application for admission to practice his profession, stepped up to the rude bar at the first session of the first court held November 11, 1743, the bench and bar of Frederick has had no superior and but few equals in ability and recognized standing throughout Virginia. And in the succeeding fifty years, whilst the able but eccentric Gabriel Jones (admitted 1743) and the brilliant and accomplished Alexander White, prominent about the Revolutionary period; onward through the sixty-two years and five months of service as clerk of the court of James Keith (ending in 1824); and still onward during the fifty years of service of Thomas A. Tidball as clerk, the profession of the law was and is still graced by minds that would do honor to any community in any land. There are so many names that loom above the average horizon, that to give a sketch of each of those who bore them would far transcend the limits allotted to this subject in this work. To select a few would not only be invidious but extremely unjust to the descendants of those left unmentioned. But a list of *all* the attorneys gleaned from the records, will be found below, running up to and including those of the present day. A number of the first-named practiced before the Revolution and many others have been mentioned in preceding chapters of this work. They were not all residents of Frederick County, large as it was, several of them living in the eastern counties of the State, but their names appear as practitioners in the courts of this county, and are therefore given. The list commences at 1781, and gives the date of admission to practice, in most cases, and runs till 1812:

1781. Robert White.	1794. John Brown.
1785. Francis Whiting.	1794. Isaac Hite Williams.
1785. Charles Magill.	1794. Elijah Gaither.
1786. Samuel Reed.	1795. Alexander White, 3d.
1787. Buckner Thruston.	1799. Daniel Thomas.
1787. George Nicholas.	1799. Joseph Sexton.
1787. Charles Marshall.	1799. William Tate.
1788. Argur Treadwell Furman.	1799. James Chipley.
1788. John James Maund.	1799. Richard Holliday.
1788. John Thompson Mason.	1800. Thomas Griggs.
1788. Robert Page.	1800. Matthew Lodge.
1789. John Dixon.	1800. Samuel McMechen.
1789. Hugh Holmes.	1801. Henry Daingerfield.
1790. Maxwell Armstrong.	1801. Joseph Caldwell.
1791. Archibald Magill.	1801. Alfred H. Powell.
1791. James Cochrane.	1805. Daniel Lee.
1791. Thomas Swan.	1805. Josiah Tidball.
1791. James Ash.	1805. William A. Menzies.
1791. David Holmes.	

In conformity with an act of the General Assembly of the commonwealth, the first term of the superior court of chancery to be held in Winchester, was begun on the 7th of July, 1812; Dabney Carr, judge; Daniel Lee, clerk; William Eskridge, sergeant-at-arms of the court.

The first attorneys to take the oath, preparatory to practice in the new tribunal of justice, were: Archibald Magill, Henry St. George Tucker, Alfred H. Powell, Obed Waite, Elisha Boyd, William Naylor, John R. Cooke, Charles Magill, Lewis Wolfe, Robert B. White, Warner Throckmorton, Augustine C. Smith, Oliver Bliss and Samuel Kercheval, Jr.

The following list of attorneys, gleaned from the records of the court of chancery, covers all who were practicing in the courts of Frederick County, at or about the date given, and although a number of the names may be repeated in this and the succeeding lists, yet as a matter of reference they are given in all cases:

November 22, 1819.—Dabney Carr, judge, and Daniel Lee, clerk.

Charles Magill,	Samuel Kercheval,	John Hopkins,
Archibald Magill,	Robert Page,	Burr W. Harrison,
Henry St. George Tucker,	Joseph Sexton,	John E. Page,
Alfred H. Powell,	Sampson Blincoe,	Humphrey Powell,
Obed Waite,	Lewis P. W. Balch,	Richard H. Lee,
Elisha Boyd,	John Baker,	Henry Berry,
Robert B. White,	Richard H. Henderson,	Joseph Strother,
William Naylor,	Jonathan Carlyle,	George Murray,
John R. Cooke,	Alexander S. Tidball,	William L. Clark,
Warner Throckmorton,	William Chilton,	John McPharlane,
Augustine C. Smith,	Moses T. Hunter,	Thomas Marshall,

Richard Barton,
Aaron Jewett,
Richard McLane,
James M. Mason,
John Ransdall,
William Jenners,

Province McCormick,
Andrew Kennedy,
Charles T. Magill,
Joseph H. Sherrard,
James McIlhenny,
Thomas B. Turner,
Cuthbert Powell, Jr.,

Lewis Wolfe,
Oliver Bliss,
Thomas Griggs,
Ebenezer Martin,
M. Munroe,
Francis W. Gilmer.

Henry St. George Tucker having been appointed judge of the superior court of chancery, for the districts of Winchester and Clarksburg, March 24, 1824, he presented his commission and opened the court in Winchester April 5, 1824; Daniel Lee, clerk. David H. Conrad and John B. Smith were admitted to practice at the same date.

In the records of 1825 appear the following additional names as practitioners before this court: Charles L. Powell, Charles J. Faulkner, William Lucas, A. S. Kercheval, and Messrs. Dougherty, Tapscott, Samuels, Fowke, Grey, Seymour and Williamson.

Richard E. Parker being appointed judge of the superior court, opened the same June 3, 1831. In 1833 the following names appear as either practicing, or having practiced, before the court indicated:

Obed Waite,
John R. Cooke,
James M. Mason,
William L. Clarke,
John Hopkins,
Philip Williams,
James Marshall,
Robert Y. Conrad,
David W. Barton,
W. G. Singleton,
Province McCormick,
Edmund P. Hunter,
Alex. S. Tidball,
James J. Randolph,

Charles T. Magill,
William Naylor,
Samuel Kercheval, Jr.,
Andrew Kennedy,
John S. Magill,
Joseph H. Sherrard,
Edmund I. Lee,
Richard E. Byrd,
Richard H. Henderson,
Henry Berry,
Angus W. McDonald,
James Hervey-Carson,
Joseph S. Carson,
Burr W. Harrison,

Lewis Glover,
Giles Cook,
Richard Parker,
Walter Brooke,
Beverly Snickers,
David H. McGuire,
William R. Johnston,
Robert Page, Jr.,
John L. Green,
J. L. Snodgrass,
Andrew Hunter,
Henry Byrne,
Edward E. Cooke,
John A. Thompson.

Isaac R. Douglass was appointed judge of the chancery court, and opened his first term March 6, 1837, and having served fourteen years, Richard Parker was appointed and opened the court June 13, 1851.

The following gentlemen are recorded in the chancery order books covering the years included from 1858 to 1889, as practitioners of the law in the courts of Frederick. Some of the first named are still in active practice here, some have removed to other fields of usefulness, and some have gone to the bar of that High Court whose judge is always just, and from whose decisions there is no appeal:

Phillip Williams,	Powell Conrad,	E. E. Stickley,
Robert Y. Conrad,	Lewis N. Huck,	M. Walton,
David W. Barton,	Charles L. Ginn,	C. A. Yancey,
Andrew Hunter,	Morgan, Wells & Co.,	William Lauck,
Edward E. Cook,	J. W. Jenkins,	J. R. Tucker,
Province McCormick,	C. L. Watrous,	W. J. Robinson,
Giles Cook,	Urial Wright,	G. W. Brent,
Lewis T. Moore,	U. L. Boyce,	W. W. Arnett,
John Randolph Tucker,	J. P. Riely,	P. McCormick,
William L. Clark, Jr.,	J. J. Williams,	G. W. Ward,
David H. Conrad,	E. Holmes Boyd,	G. W. Ward, Jr.,
Charles L. Brent,	R. T. Barton,	William Byrd,
F. W. M. Holliday,	Randolph Barton,	Richard E. Byrd,
J. B. Hoge,	J. W. Denney,	Thomas W. Harrison,
T. T. Fauntleroy, Jr.,	Joseph S. Carson,	William M. Atkinson,
N. S. White,	Joseph H. Sherrard,	William A. Alexander,
Lawson Botts,	J. Hayes Shields,	A. R. Pendleton,
E. B. Mantor,	E. P. Dandridge,	M. M. Lynch,
S. J. C. Moore,	T. Shumate,	James P. Whittaker,
Charles T. Magill,	Holmes Conrad,	D. H. Bragonier,
Robert E. Seivers,	J. H. Williams,	C. S. W. Barnes,
Robert Turner,	Richard Parker,	W. Roy Stephenson,
James M. Mason,	R. W. Hunter,	Robert M. Ward.
	B. C. Campbell.	

In consequence of the Civil war very little was done in the courts of Frederick County, and the severance of the western portion of the judicial districts, owing to the creation of the State of West Virginia, changed the entire mode of procedure. Instead of a superior court of chancery, at the close of the war circuit courts were established. In 1869, June 10, Edmund Pendleton, having been appointed judge for the Thirteenth Judicial District, which comprised Frederick County, that gentleman opened the first session of the court under the new regulations, but he retained the position only one year, as on June 10, 1870, Judge Robert H. Turner held the court as a portion of the Twelfth Judicial District. Col. Joseph H. Nulton is the present clerk of the circuit court. Hon. W. L. Clark is judge of the city and county courts.

Not only has the bar of Winchester always borne a first-class reputation, but as early as between 1820 and 1830 Judge Henry St. George Tucker conducted a School of Law, which had a large attendance for several years. Many men who afterward became noted in the history of their respective counties and States attended this school, among whom were Gov. Henry A. Wise, of Virginia; Gov. Francis Thomas, of Maryland, and William Cost Johnson, of the same State, besides a number of Frederick County's best known lawyers.

It is safe in saying that no other county in the State of Virginia can point to a more numerous galaxy of legal lights, men who stood above their fellow man in all those attainments that go to make up genuine ability, with intellects that were broad, far-reaching, firm-grasping, and yet intensely subtle and analytic, than Frederick County. Not to go farther back than the Revolution, one must pause at that old heroic parson, Charles Mynn Thruston, the clergyman-soldier, the educated gentleman, and chief dispenser of justice in this county for many years; then to Gen. James Wood, son of Col. James Wood, the first clerk of the county, in 1743. Gen. Wood, from the position of deputy clerk of the county, successively was honored by his fellow citizens until he reached the position of Governor of the Commonwealth in 1798. A little further onward we behold the names of Judge Hugh Holmes and Judge Henry St. George Tucker, and onward still loom up the names of Powell and Boyd and Augustine Smith, and the Lees and Robert Y. Conrad, and the Marshalls, and the Masons, and the Bartons, and Pendletons and Hunters, and a number of others almost as gifted, including many who are still living, and who are destined to leave their impress on those to come after them. Winchester has furnished one governor of late years in the person of the gallant Col. F. W. M. Holliday, who bears the evidence of the faith that was in him during the late disastrous struggle between North and South, in the empty sleeve that hangs by his side, and one of her great lawyers, James M. Mason, who resided here from 1821 till the breaking out of the war, was selected, in conjunction with Mr. Slidell, by the Confederate government to attempt a hazardous and uncertain mission abroad, the outcome of which nearly precipitated war between Great Britain and the United States. Another gentleman who was admitted to practice here in 1825, but who resided in Berkeley County, became Minister to France during President Buchanan's administration, the Hon. Charles James Faulkner. But space forbids further mention of the bench or bar of Frederick County.

CHURCHES AND MINISTERS.

Wherever civilized man goes his religion always accompanies him; wherever he sets up his rude cabin or stately mansion, one of his first acts after planting himself is to erect a place of worship, and the next is to induce the settlement in the new village or community of a minister of the gospel. And there never is wanting some valiant soldier

of the cross to adventure into the wilds; only too happy is he of the opportunity to spread the glad tidings to those to whom it may be difficult to reach. Grand old heroes were those early pioneer ministers—those henchmen of the Lord—who, with rifle on shoulder and bible and prayer-book in pocket, were as capable of drawing a bead on the savage foe as drawing a conclusion from a text. They were mighty factors in the settlement of the wilderness, for their words of consolation in times of peril and privation made the life of the pioneer not only bearable but content, hopeful and even pleasant. The Presbyterians claim the honor of being the first to introduce worship into the valley of Virginia; the Quakers, or Friends, do the same, as well as the Lutherans and Calvinists, now known as Reformers, and with equal propriety can the Episcopalians lay early claim. The facts are these, and all can judge of the matter as may suit their pleasure: The first settlement, beyond a doubt, south of the Potomac River was made on the spot where now stands Shepherdstown, by a number of German mechanics from Pennsylvania. They naturally brought their religion with them; now, were they Lutherans or Reformers? A settlement of Scotch-Irish Presbyterians was made not long after the Germans came to their new home, and some of them went farther up the valley, on the Opequon above Winchester, at the same time that the German, Yost Hite, and his three German sons-in-law and some others went there. It is altogether probable that Hite and his party were Calvinists or Reformers, and that they built a small church on the Opequon, as is claimed that the Calvinists did in 1740, by the present Reformed Church, and on which claim they have based the fact of calling their church in Winchester, established in 1840, the Centenary Reformed Church. Quakers, or Friends were here, undoubtedly before Yost Hite came to the Opequon settlement, as Alexander Ross, a Quaker, obtained a large grant of land near Winchester before 1732, as the writer has seen a survey from him of a tract of land made for a Hollingsworth, whose grandfather came over with William Penn. This old document is dated 1732, but the family claim that their ancestor settled on the tract as early as 1726. About 1730 is, possibly, the correct date. The Episcopal Church came a little later than the dates given above, although writers of that denomination claim priority of establishment, and with good reason, as Morgan Morgan, a devout Episcopalian, the first justice named in 1743, had doubtless been living in the valley many years before the county

was created. Shortly after the organization of the court in 1743, "Morgan's Chapel" and "Cunningham's Chapel" appear in the old records. But the first mention of a minister is in 1743-44, where Rev. William Williams is spoken of, as has been stated in a former chapter of this work, in connection with having violated the law in presuming to marry various persons, he "not being an *orthodox* minister." He was doubtless a Presbyterian.

The Episcopal Church.—The introduction of the Episcopal Church into Frederick County is coeval with the organization, or rather creation (the latter antedating the former by about five years) of that county, for inasmuch as it was the established religion of the mother country, England, it was obligatory on the part of the colonial rulers to make provision for the spiritual as well as political welfare of the subjects of their sovereign lord and master, the King; so, when Frederick was cut off from Orange County, in 1738, a parish named Frederick was also instituted, and although there may have been no rector and no church edifice for several years, yet collections for their maintenance went on all the same. They had a vestry, of course, and church wardens whose general duty it was to superintend, as it were, the morals of their less religious fellows, but whose special province seems to have been, according to the ancient records, to take charge of and punish the unfortunate female victims of man's inordinate passions. Very little otherwise is heard of church, vestry or wardens, until after the arrival of Lord Fairfax, in 1749, but there seems to have been a misapplication of the funds set apart for church purposes, some £1,500 having been badly used by the virtuous old churchmen, as an act of Assembly was passed in 1752, dissolving the vestry for that cause, and the appointment of another set. These were Lord Fairfax, Isaac Perkins, Gabriel Jones, John Hite, Thomas Swearengen, Charles Buck, Robert Lemmon, John Lindsay, John Ashby, James Cromley and Lewis Neil. Lord Fairfax, in 1752, gave a lot on the southwest corner of the public square in Winchester, upon which shortly afterward was erected a rude chapel. This was occupied many years, but a better one, of stone, was reared on the same spot some time before the Revolution, which was continued to be used until the sale of the lot by the congregation, and the building of the handsome edifice on the corner of Water and Washington Streets. The mortal remains of his lordship, originally deposited in the graveyard of the old church, upon the sale of the lot to private individuals,

were removed and now repose under the altar of the new church. Bishop Meade says that the first minister of Frederick parish was a Rev. Mr. Gordon, but where he came from, when he took charge, and when his ministry ended is now not known. Rev. Mr. Meldrum succeeded Mr. Gordon, who was in turn followed by Rev. Mr. Sebastian, who took charge about 1766 and remained till 1777, when he, like patriotic Peter Muhlenberg, threw off the gown and grasped the sword in defense of the struggling colonies. From that date until 1785 there was no regular pastor of Frederick parish, but at about the date named Rev. Alexander Balmaine, who also had fought for the independence of the colonies, was chosen rector and remained in charge for over thirty years. He lived on Cameron Street north of Piccadilly Street, and was highly respected and loved by all classes of the community. After Mr. Balmaine's death, Rev. Mr. Bryan, as assistant to Bishop Meade, filled the position. Then came Rev. Mr. Robertson. In 1827 Christ Church, Winchester, was organized into a separate parish, the parish to which it was attached extending, up to that time, over a large extent of country. Rev. J. E. Jackson was chosen minister, and under his supervision the present fine church edifice was erected. He resigned in 1842 and went to Kentucky, being succeeded by Rev. Mr. Rooker, who resigned in 1847. Rev. Cornelius Walker then took charge, and was succeeded by Rev. Dr. W. C. Meredith, who continued till the commencement of the Civil War, into which he entered as a private in a Confederate regiment, afterward becoming chaplain. Rev. Mr. Maury filled the position as rector during the war, but at its close Rev. Mr. Meredith resumed his connection with the parish, and retained it till his death in 1876. Then Rev. Dr. James R. Hubbard was accepted as pastor, and remained about eleven years, when he was succeeded by Rev. Nelson R. Dame, the present rector.

Centenary Reformed Church.—From actual records and from traditions handed down, the Reformed Calvinists, or German Reformed, ministry from the Palatinate, Germany, organized a congregation near to the town of Winchester, or rather the spot whereon that now delightful little city stands, in 1740 or 1741, and the crumbling foundation of the little stone church near Kernstown is supposed to be the locality where that congregation worshiped. The church was abandoned in 1753-4, when a Presbyterian congregation occupied it, and by long occupation by them it has since been known as a church of that denomi-

nation. On May 15, 1753, Lord Fairfax by deed gave "Lots numbered 82 and 83." The bequest in part reads as follows: "Do give, grant and confirm unto the said Philip Bush, Daniel Bush, Henry Brinker, Jacob Sowers, and Frederick Conrad, as trustees appointed by the said congregation (Reformed Calvinists), the said recited Lots of land, for erecting and building a meeting-house for the use of the said congregation and for no other purpose." Soon after this grant a log and frame meeting-house was erected on these lots, situated in the eastern portion of Winchester, being bounded by Philpot Lane and East Lane, etc. The records bring the church history up to about the beginning of the present century. From 1791 for a number of years Rev. G. W. Schneyder was pastor. Rev. Bernhard Willey made the first records of the church, which are preserved, and Rev. Mr. Schneyder about 1800, and the last by Rev. Dr. John Brown, October 16, 1804. From this date for many years the church organization seems to have been so scattered or dissolved that no services of this denomination were held in the building. It was used, however, by Rev. Robert Sedwick, a Baptist minister, who preached there for about nine years, and after he left it was occupied by Jonathan Robinson, colored, also a Baptist minister, who came to Winchester with Col. Preston during the war of 1812. Nothing is known to the members, of the church from 1823 till 1840, at which time efforts were made to raise funds for the repair of the church built in 1754, but on aid being promised from the synods and classes it was concluded to build a new edifice in commemoration of the one hundredth anniversary of the organization in this section of the State, and the "Centenary Reformed Church" was the result. This structure is still standing, although it was wrecked and ruined during the late war. The original log and frame house was destroyed by fire on the night of February 13, 1844; and the sight is said to have been a wonderful one, as the ground and roofs of buildings were covered with snow, in addition to the light from a full moon. Persons awaking from their sleep imagined that the whole town was on fire, and great consternation prevailed. After the completion of the new church in 1840 Rev. George A. Leopold became pastor for a short time, and was succeeded in December of that year by Revs. D. H. Bragonier and Robert Douglas, as joint pastors of several churches, but in 1845 Mr. Douglas became sole pastor. In 1847 Rev. G. W. Willard, now president of Heidelberg College, Tiffin, Ohio, became pastor, resigning in 1850, and being

succeeded by Rev. now Dr. J. O. Miller, who remained four years, being followed by Rev. now P. Seibert Davis, D. D., until recently editor-in-chief of the *Reformed Messenger* of Philadelphia. Dr. Davis resigning in 1857, Rev. Mr. Douglas became a supply for two years, when he was succeeded by Rev. Dr. John M. Fetzell, now of Lancaster, Penn., who continued pastor till the breaking out of the civil war in 1861. Rev. Norval Wilson, a resident minister of the Methodist Episcopal Church, preached for the congregation until 1862, when the church building was taken possession of by the Federal troops, which use and occupation resulted in the almost complete destruction of the property. The lecture room in the basement was used as a stable, the pews and pulpit for fire wood, and holes cut in the floor of the audience room and walls for convenience. This scandalously treated congregation have never received one cent damages for the loss of their property. When the building was repaired or patched after the war Rev. Hiram Shaull became pastor, remaining from 1866 till 1873. He was succeeded in 1874 by Rev. Charles G. Fisher, who resigned in 1880. Then came Rev. A. R. Kremer till 1884, followed by Rev. S. L. Whitmore. The last pastor, Rev. U. O. Mohr, only remained a few months, and the church is now without one. In the burying ground of the old church is a tombstone erected to the memory of George Helm, bearing date 1769.

The Evangelical Lutheran Church.—The old Lutheran Church, as will be seen from the following records deposited in the corner-stone, was commenced in 1764, but it was not completed till 1793, which date it bore on the gable end. In 1821 the spire was erected. After the erection of the handsome edifice on Boscowen Street, the old one was used now and then for public meetings, celebrations, etc. Following is the record:

“In the name of God, the Father, Son, and Holy Ghost, Amen! The foundation of this temple, by the grace of God, was laid in the year of Christ, 1764, on the 16th of June.

“The hearers and founders of this temple are all and each members of the Evangelical Lutheran Church, at this time, residing in the city of Winchester, to wit:

“Thomas Schmidt, Nicholas Schrack, Christian Heiskell, David Dieterich, Christopher Wetzell, Peter Holferstein, George Michael Laubinger, Heinrich Becker, Jacob Sibert, Jacob Braun, Stephen Fraenker, Christopher Altrich, Tobias Otto, Eberhard Doring, Andreas Friedly, Amanuel Burger, Christopher Heintz, Donald Heigel, Jacob

Trautwine, John Segmond Haenli, Johannes Lemley, Johannes Lentz, Christian Newberger, George Schumacher, Michael Roger, Michael Warnig, Christopher Lamber, Samuel Wendell, Michael Gluck, Julius Spickert, Balthazer Poe, Jacob Koppenhaber, Heinrich Weller.

"Under whose care and inspection, and at whose expense this temple was built, at that time bore rule George III, King of Great Britain, our most clement master, and his officers and governor in Virginia, Francis Fauquier, in Williamsburg, then presiding with highest authority, and Thomas Fairfax, chief magistrate of this whole district, at that time residing not far from this city, who has given to us gratuitously and of good will, two lots of ground, comprising one acre, for sacred use.

"This temple has been consecrated to the Triune God, and to the Evangelical Lutheran religion alone; all sects whatsoever name they may bear, and all others who either dissent from, or do not fully assent to, our Evangelical Lutheran religion being forever excluded. As a permanent record of which to our posterity, this paper is here placed and has been deposited for everlasting remembrance in this corner-stone. Drawn up in Winchester April 16, MDCCLXIII.

"JOHANNES CASPER KERCHNER,

"At that time minister of the Evangelical Lutheran Church.

"LUDWIG ADAMS, Scribe.

"ANTHONY LUDI,

"School Master in this city."

In 1772 the walls were completed, but the ambitious old Germans seem to have undertaken a larger job than they were aware of, and in consequence of their exclusiveness, which bordered on intolerance, as evidenced in the document placed in the corner-stone, they received very little help outside of their own denomination. But they are said to have worked like beavers to finish their church, women even assisting in any thing that they could do, even carrying stone and timber, and helping to lift heavy articles. It was not finished as late as 1787-88, at which time a lottery was inaugurated to raise the requisite funds to complete the building. During the great struggle for liberty, of 1775-81, the church was used for a barracks. In 1785, when Rev. Christian Streit took charge of the church, there were no doors nor window-glass nor shutters. But they persevered to such an extent that in 1790 they had cast at Bremen, Germany, two bells of extraordinary sweetness, and in 1795 they had an organ put in. The church on Boscowen Street has been in charge at various times of Revs. Abraham Reck, Eichelberger, C. P. Krauth and Rev. Messrs. Baum, Messach, Dosh, Gilbert and Miller.



Engraved by J. H. Smith, New York

F. August Gröchen

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The Presbyterian Churches.—The Presbyterian denomination was possibly the oldest religious society in the vicinity of Winchester, and yet they had no church in that town till 1790, the members worshipping at the old Opequon Church. Decisive measures were taken for the erection of an edifice in the town named in 1787, as has been shown in a former chapter, where plans are sought by the trustees of the church from persons competent to build the same. The edifice thus proposed was built in the course of a year or two. Dr. Hill came to the charge about 1785, and remained till 1838, off and on. This first church is now used as a school for colored children, and is on the ridge in the eastern section of Winchester, where at one time there were four churches all in a row.

The original society, known as the Loudon Street Church, was organized by some thirty or forty members, who were dissenters from the body of the old Presbyterian Church in 1838, because they sympathized with what was known as the "New School Movement" in the United States. Under the pastoral charge of Dr. Hill they first occupied the stone house on the west side of Cameron Street, south of the run, once the property of Philip Bush, but at that time belonging to J. and A. Miller, who gave them the use of it free. The present building was erected in 1840. Soon after completion the pulpit was filled by Rev. Moses Hunter. The first synod of the Virginia "New School" branch of the church was held in this church in 1841. The late Dr. H. H. Boyd was installed pastor in 1842, and remained till his death, in 1865. Rev. J. W. Lupton succeeded Dr. Boyd, but resigned after one year's pastoral charge. Rev. G. L. Leyburn took charge in the spring of 1867, and remained till he was appointed missionary to Greece, dissolving his connection in 1875. Rev. H. M. White, the present pastor, took charge in June, 1875.

The "Old School" Presbyterian Church was built about 1838-39, after the division, and the pulpit has been filled by Rev. Dr. Riddell, Rev. Dr. William M. Atkinson and Rev. Dr. Graham, the present pastor.

Methodist Episcopal Churches.—Methodism in the valley of Virginia no doubt dates to a very early period, for the ministers of that denomination have always been noted as pioneers upon the frontiers, and where the ax could be heard felling the primeval forests, it was not long before the voice of one of those "bringers of glad tidings" accompanied the strokes of the woodsman. Before the Revolution, it

is thought, itinerant preachers of the faith of Wesley had penetrated the settlements in the valley, and although there is no evidence that a church in that behalf was erected, yet the foundation was laid from which has arisen one of the most numerous and influential religious societies in Virginia. Their churches are noted for numbers and beauty and their ministers for eloquence and ability.

The first Methodist Episcopal Church was erected about 1794 on Cameron Street, between Water and Cork Streets, the lot being purchased from William Beatty in 1791, and deeded to James Holliday, John Steed, Samuel Colvert and Richard Holliday. In 1805 conference was held here for the first time. There were no regular preachers stationed here till about 1827. In 1818 the building was sold to Peter Ham, by the trustees of the church, George Reed, Beatty Carson, James Walls and George M. Fryer. The trustees then purchased the lot on which "Fairfax Hall," the school of the Misses Billings, now stands, and erected thereon the second church. About 1851-52 this property was sold and the fine brick church on the corner of Cameron and Cork Streets was built, the corner-stone being laid September 12, 1853. From 1824 to 1827 the pulpit was mostly filled by Rev. George Reed, and has been successively filled since by Revs. Edward Smith, Henry Furlong, John L. Gibbons, John Miller, Job Guest, Norval Wilson, William Hamilton, John Smith, E. Dorsey, William B. Edwards, Norval Wilson (second time), Samuel Kepler, William Krebs, John S. Martin, William Hirst, Thomas Sewell, N. J. B. Morgan, S. V. Blake, B. F. Brooke, J. R. Wheeler, and since the division of the church after the late war, by Revs. Mr. Creever, W. F. Ward, Revs. Mr. Reed, W. T. L. Weech, Revs. Messrs. Gardner, Courtney, Ferguson, H. S. France, M. Bishop and the present pastor, Rev. Mr. Koontz.

The Braddock Street Methodist Episcopal Church South was erected under the supervision of Mr. William R. Denny, in 1858. It is connected with the Virginia Conference, and was in charge of Revs. George H. Ray, Peterson and August. The church was terribly abused by the United States soldiers during the Civil War, and particularly by those under Gen. Banks. The Cameron Street Church was used by the Methodists generally during the war, after the soldiers had made the Braddock Street Church unsuitable for occupancy, but at the close of the great struggle when the difficulty arose as to the ownership of the Methodist Churches in Virginia, and when the soldiers in

pursuance of the decisions of the courts took charge of the Cameron Street edifice, the original adherents of the Methodist Episcopal Church South bought the Braddock Street building and worship there now. The ministers who have been stationed there since the war are: Revs. Dr. R. R. S. Hough, I. R. Finley, D. D., J. E. Armstrong, T. E. Carson, Samuel Rogers, D. D., James S. Gardner, H. H. Kennedy, J. W. Shoaf, W. P. Harrison, D. M. James, J. S. Martin, George Tyler and Thomas E. Carson.

The Catholic Church.—The history, or rather the starting point of the Catholic Church in Frederick County is now not definitely known, but it is altogether probable that it antedates the period generally set down—1790 to 1794—as there were a number of Irish families here at a very early date, and some of them very prominent. Although there may have been no church building or edifice set apart for public worship, yet the religious zeal for which the Catholic Church is noted, makes it almost certain that priests found their way to the splendid section of Virginia that was rapidly coming into notice, and celebrated mass at private residences. The first priest, as far as records show, who visited Winchester, was Father Dubois, who came from Pennsylvania, or Maryland. It is claimed by some that the first church was built in 1790 to 1794, and in support of this view there is a tombstone in the little cemetery on the hill, where once stood the church, which reads: “1794. Sacred to the memory of Maria Holker, daughter of John Holker, late Consul General of France and Agent of the Royal Marine. Aged 10 years.” Tradition says that a wealthy Frenchman furnished nearly the entire funds for building the church and Monsieur Holker is doubtless the person indicated. Holker remained in America after he left the French consular service, and his daughter dying in Winchester, she may have been buried elsewhere, and after the building of the church and consecration of the graveyard, her remains were re-interred where they now repose. This theory is supported by the fact that only the year of her death is on the slab. Maj. Edward McGuire, the ancestor of a family that is extensively known and honored throughout Virginia, who was a leading citizen over one hundred years ago, gave the lot upon which the first church was built, but there is no record of the time of building. Mr. W. G. Russell says the church was built in 1805, and as the old gentleman, who was then five years of age, has been found to be extremely correct in his early dates on other matters, as the writer

hereof has verified by records, it is safe to assume that he is correct in this case. There may have been a separate burying ground for the Catholics, but no church till the last date named. In the little graveyard on the hill lie many of the pioneer Catholics, and among the number is Patrick Denver, who came to Winchester about 1795 from Ireland. He was the grandfather of Gen. Denver, governor of Kansas before its admission as a State, and from whom the city of Denver, Colo., is named. Patrick Denver died March 31, 1831. The names of the priests who officiated here from the building of the church till 1840 cannot now be ascertained, but they were doubtless identical with those at Harper's Ferry, as the church at that place had a resident priest. Years would pass without the opportunity for the little band of the faithful partaking of the blessings of the mass. In 1844, however, Father O'Brien began visiting Winchester every three months. A few years later, when great impetus was given to improvements in the way of turnpike roads, which necessitated the employment of Irish Catholic laborers, the visits of the priest were increased to once a month, which was kept up till the outbreak of the Civil War. Father Plunket succeeded Father O'Brien, a very popular gentleman among all classes, and he in turn was succeeded by Fathers Talty and Costello. During the war the church was turned into a stable by the soldiers of Banks and others and when the disastrous struggle closed, naught but ruins marked the sacred spot where once the little edifice opened wide its doors to all. Rev. J. J. Kain became the first spiritual adviser, but without a church, so services were held in the parlor of one of the members, and afterward better accommodations were afforded. Father Kain worked unceasingly for the erection of a new church, and in 1870 the corner stone of one of the largest churches in the Valley was laid, and some time after, the building had progressed enough to permit the use of the basement for the services. It was a hard struggle to complete the church, and to make matters worse Father Kain was taken from them, he having been advanced to the Bishopric of Wheeling. Father Van De Vyver succeeded and the church was completed in 1878, and consecrated under the patronage of the Sacred Heart of Jesus. Rev. J. Hagan became the first resident pastor in 1878, all those preceding him being missionaries from other sections. During Father Hagan's pastorate, a neat residence was built adjoining the church, and a parochial school was established, which is in a flourishing condition. Rev.

D. J. O'Connell succeeded Father Hagan, and after remaining one year was followed by Rev. J. B. O'Reilly, under whose influence and untiring devotion the communicants have increased, till there is a congregation now of 300 souls. Father Reilly has purchased and laid out a most suitable site for a cemetery. All the property is paid for and the church, which is one of the handsomest in the Valley, is an honor to all connected with it.

United Brethren in Christ Church.—Although this denomination had a number of church buildings in various parts of the Valley, not until 1873 were they in sufficient numbers to establish one here in Winchester. But through the exertions of Rev. G. W. Howe the neat and comfortable building on Braddock Street was erected at the date given. The present pastor is Rev. J. B. Chamberlain.

The Friends' Meeting-House.—This denomination of Christians have a very neat and tasteful building on Washington and Piccadilly Streets. It was built since the war. They had a meeting-house, built many years before that time, as it is one of the oldest religious organizations in the Valley, but the building was destroyed by soldiers.

The Baptist Church dates back to a tolerable age, but its early history seems not to be known to even prominent members of that church, as an account of it could not be obtained after repeated endeavors. They have no pastor at present.

The Christian Church has no pastor at present, and the *Church of God* is in the same condition. Rev. Mr. Pirkey had been in charge of the former and Elder Morgan of the latter. The colored people have four congregations, two Methodist and two Baptist.

THE CEMETERIES.

There are several beautiful cemeteries adjoining Winchester. The Catholics have lately laid off a very beautiful site as a city for their dead, but Mount Hebron, for all denominations, is one of the loveliest spots of ground for the purposes to which it is dedicated, to be found anywhere. It is situated upon a commanding eminence just outside of the city limits, and contains thirty-five acres of land. In the main portion it is covered with beautiful trees, evergreens and creeping plants. Imposing monuments rise from beds of lovely flowers and many a moss-covered slab reveals a date that takes one back to the beginning of the century, and a few, even years before that time. The humble and well-nigh ruined slab that marks the resting place of Gen.

Daniel Morgan lies in the front of the grounds, and with the vacant space surrounding it seems to appeal to the patriotism of this generation to rear some better testimonial to his unselfish patriotism in the war that gave us this grand constellation of States. Mount Hebron was first laid out in 1844.

Stonewall Cemetery.—Within the enclosure that marks the bounds of Mount Hebron is situated the Confederate Stonewall Cemetery. The Confederate dead who fell in the many engagements in this portion of the Valley lie here, and a number of beautiful and costly monuments attest the love the living have for the departed heroes who laid down their lives in a cause they deemed pure and just. As an evidence of the promptness with which the ladies of the Valley hastened to erect a testimonial to the dead soldiers of their defeated and scattered army, this cemetery has the honor of being the first one finished in the United States, North or South. It was opened formally on October 9, 1866. Ex-Gov. Henry A. Wise delivered one of the grandest orations on that occasion that ever fell from the lips of man. A number of splendid monuments have been erected, those of Virginia and Maryland being particularly fine. But the crowning feature of this "bivouac of the dead" is the magnificent marble monument erected exclusively by the ladies of the South. It is a shaft forty-eight feet high, surmounted by a Confederate soldier, and cost \$10,000. Beneath it repose the remains of 829 unknown soldiers—unknown to a single soul on earth to-day—unknown to all save Him whose eye never overlooks the fall of a sparrow, much less these sleeping boys in gray whose pure young blood streamed out, mayhap, behind some lonely rock or tree, as he thought of a mother, father, sister, wife, who would await the coming of their hero, who never would return. On the base of the monument are the words: "To the Unknown Dead" and this is the only "monument to the unknown dead" in all our land. On another portion of the base are the words: "Who they were none know; what they were all know." A sentiment that no poet of any age ever excelled for depth, pathos and intrinsic meaning.

United States National Military Cemetery.—For the following particulars the author is indebted to Capt. W. A. Donaldson, superintendent of the cemetery:

Location—Distance from court house, east half a mile. Established and dedicated April 9, 1866. Area of ground, five acres; rectangular in form, with main avenue running north and south; flat, with depression from west to east.

Names and dates of battles from the scenes of which the dead were removed to this cemetery: Kernstown, March 23, 1862; Union forces under Gen. Shields, Confederates under Gen. Stonewall Jackson. Banks retreat, May 23, 1862. Miles' surrender, September 1862, at Harper's Ferry. Millroy's fight, June, 1862. Martinsburg, July 25, 1864. Winchester, September 19, 1864. Cedar Creek, October 19, 1864, Union forces under Gen. Sheridan, Confederates under Gen. Early. Many were found buried where skirmishes had taken place in the vicinity of Winchester. At the entrance to the cemetery is the superintendent's lodge, and none but disabled meritorious officers or privates of the United States army can hold the position as superintendent, under a law in relation thereto. In the center of the grounds is a large mound surmounted by a flag-staff sixty feet in height, to the top of which is hoisted at sunrise, and lowered at sunset, every day in the year, a United States flag. The cemetery is laid off in burial sections, there being forty-eight, some arranged by States, others containing two States.

Interments—Known dead, 2,098; unknown dead, 2,382.

Headstones—At known graves, 2,098; unknown, 2,382.

Monuments—To Third Massachusetts Cavalry, cost \$1,000; to Sergt. Thompson, \$25; to Eighth Vermont Infantry, \$400; to H. M. Martin, \$75; to Fourteenth New Hampshire, \$200; to Thirty-eighth Massachusetts, \$20.

These two cemeteries, Confederate and Federal, lie side by side, and here repose the gallant dead of some of the bloodiest battles the wickedness of man ever devised. Who shall judge between these fallen heroes? Who can deny that both were right? They every one of them had the manliness to face the storm of deadly shot and shell, to brave the hardships of the march and the camp, to leave home and loved ones, and here they lie, silent till that louder trump shall waken them to scenes where strife is never known, where all is peace and concord. The same blue sky canopies their last earthly resting place, the same bright sun makes glad the flowers that bloom on their grassy mounds, and the same Eternal Eye of justice must look with pity equally upon these twin camps.

EDUCATIONAL.

Excellent schools have from the very establishment of Winchester, almost, been one of its main features and a source of much laudable

pride. One hundred years ago, as shown in a previous chapter, two or three exceptionally fine classical schools were conducted here, and at no time since has there been wanting facilities for parents to educate their children right at their own homes. In addition to the law school of Judge Tucker, way back in the 20s, there was in Winchester, from 1855-56 until the Civil war began, a medical college that stood very high. There are now four excellent private schools, of a very high grade, all of them affording instruction that fits their pupils for the highest collegiate course, where that is necessary, but the course at either of the female schools is such that further advancement is not ordinarily required. The male academy was established in 1787, and has continued ever since, with the exception of the years during which the Civil war raged. Mr. Rhodes Massie, a graduate of the University of Virginia, is at the head of this institution. The grounds are large and there is a fine gymnasium attached.

Fairfax Hall, established by the late Rev. Silas Billings, and now conducted by his daughters, is the oldest school for young ladies in Winchester, having been inaugurated in 1869. The ladies in charge were specially educated for the work they have in hand, and held important educational positions before they entered upon their duties here. This seminary for young ladies is beautifully located on one of the finest streets of Winchester. Eight to ten teachers are employed and give thorough instruction in science, mathematics, languages, music, art and elocution.

The Episcopal Female Institute was incorporated in 1874 under the administration of the Rev. J. C. Wheat, D. D. It is now under the management of A. Magill Smith, M. A., principal, who has brought this well-known institution up to a very high standard. Its alumni are to be found all over the country. The building is handsomely equipped with every comfort for pupils, including hot and cold baths, ample exercise grounds, and contains chemical and philosophical apparatus, a telescope of fine power, and a large library. Its course of instruction is broad and thorough, and nothing is left undone to insure an education that will fit its graduates for all honorable stations in life.

The Valley Female College is a popular and flourishing institution, located on the highest point within the city limits and for some distance around. It is situated on the exact spot selected by Washington in 1756 for the building of Fort Loudon, and the southwestern bastion of that famous old fort still stands on the grounds of this insti-

tute; in fact, a cistern is sunk into the bastion itself. The view from this spot is one of the most charming in the valley of the Shenandoah. To the east may be seen the "burly Blue Ridge," and almost the "brawling Shenandoah," and to the west rises the North Mountain, whilst at closer range loom up the earth-works erected during the late war, within and around which fought or fell many who have gone into history. Yonder Sheridan dashed along on his black charger, and there stood glorious Stonewall Jackson, calm, majestic, inscrutable as a sphynx. The location of this school is fine, but its course of instruction, under the able management of Rev. Dr. J. P. Hyde, is all that can be desired.

The Public Schools.—Until the close of the Civil war Virginia had no public school system. All schools were either the universities, the colleges, the academies, seminaries, institutes, and private, or "select" schools, and here and there a school for the very poor, known as a "charity" school. These "charity" schools were sometimes kept up at the expense of the city or town where they were located, and sometimes established through the generosity of an individual, and none but extremely poor parents ever thought of sending their children to them, they being patronized mostly by orphans of very indigent persons. Hence, there was a certain stigma attached to these lower schools, not alone from the contact with poor children, whose rude manners may have been entailed upon them by a drunken father or worthless mother, but from the innate Virginian idea of independence: that sense of not being dependent upon their fellow-men for material support, especially in the matter of the education of their children. This feeling, the result of generations of experience in this regard, was ingrained and set; so it can readily be imagined that when the "free school system" was mooted it was met with bitter opposition on the part of a large majority of the citizens of the commonwealth. The idea of a "free" school seemed to imply the old "charity" school—highly repugnant and not to be thought of for an instant. Thus slowly do ideas grow, for to-day, and for years, the best people of the State have been and are upholders of the public schools. In accordance with an act of the General Assembly, passed a year or two after the war, Frederick County inaugurated the system without delay, and now, through the liberality of a respected citizen, Mr. John Kerr, Winchester has one of the finest school buildings in the State. Mr. Kerr donated \$10,000 for the purpose of erecting the

building, provided the city would furnish an equal amount, which it promptly did. It cost \$20,000, is heated by steam, fitted with all modern improvements, and fully equipped for the work to which it is devoted.

Fire Companies.—The fire department of Winchester has always had a reputation that seemed to be above the average in towns of its size. Very little damage has ever been done by fire since the three fire companies have been organized, which may be a coincidence, or it may be in consequence of the working qualities of the members. A few years ago considerable discussion was had, and no little feeling engendered, upon the subject of which was the oldest fire company in Winchester. Of course the "Sarah Zane" was out, there being no claim on this score by her. The "Friendship" claims to have been organized in January, 1831, and say that there is a tradition that the ladies, as far back as 1817, raised funds to uniform this company. The "Union" claims to be the first organized, putting their date down as 1833, and calling their engine No. 1. The "Sarah Zane" stepped in while the fight was going on, and although only organized in 1840, got in a steamer ahead of the balance and justly claims the honor of being "No. 1 steamer," having gotten their engine March 9, 1887. The others also have steamers. They all do effective work, are a fine set of fire laddies and an honor to old Winchester. But the boys did not go far enough back in their examination of the records, or they would have run against two companies of firemen in Winchester over one hundred years ago, as has been shown by extracts from files of newspapers printed right here at that time and incorporated in another chapter of this work.

Improvements and Enterprises.—Frederick County has been blessed with many improvements running back through a long series of years. A branch of the Baltimore & Ohio system of railroads was chartered by the General Assembly of Virginia March 14, 1831, and soon after was put under construction. This is known as the Winchester & Potomac Railroad. The Valley Turnpike Company was chartered on March 3, 1834. A road from Washington running through Loudoun County was chartered and built to a point west of Leesburg, with its objective point the Ohio River, to run through Winchester, shortly before the late war. It has since been re-chartered and named the Washington & Ohio Railroad, and will be put under construction some day. The Winchester & Strasburg Rail-

road, an extension of the Winchester & Potomac branch of the Baltimore & Ohio, was chartered March 3, 1867, and shortly afterward completed. The extension of the Cumberland Valley branch of the Pennsylvania system was finished to Winchester from Martinsburg in the summer of 1889.

The Shenandoah Valley Agricultural Association was organized March 13, 1869, with Col. Robert L. Baker, president, and James H. Burgess, secretary. The grounds are located just north of Winchester. The following counties are represented: Frederick, Clarke, Warren, Shenandoah, Page and Loudoun, Va., and Berkeley, Jefferson, Hampshire, Hardy and Morgan, W. Va. The present officers are: Col. H. L. D. Lewis, of Clarke County, president, and E. G. Hollis, secretary.

There are two banks in Winchester: Shenandoah Valley National Bank, with a capital of \$100,000, and doing a business of over half a million dollars; H. S. Slagle, president; John W. Rice, cashier; H. D. Fuller, assistant cashier. The Union Bank, chartered 1870, capital \$50,000; paid up and doing \$300,000 business; James B. Russell, president; M. H. G. Willis, cashier; L. N. Barton, teller. Also a loan and building association, with James B. Russell, president, and M. H. G. Willis, secretary and treasurer.

The Shenandoah Land and Improvement Company have their office in this city. Incorporated April 25, 1888; S. H. Hansbrough, president; L. N. Barton, treasurer; J. Clifton Wheat, Jr., secretary.

Societies.—The following fraternities, orders and societies are located in Winchester. Each has its hall tastefully decorated and all are in a flourishing condition. The Masonic Temple is one of the most substantial buildings in the city. The lodge room is superbly frescoed in Masonic devices and emblems, and is considered one of the finest in the State. Hiram Lodge has had an unbroken existence since 1768, when it was chartered by the Grand Lodge of Philadelphia, and has preserved its records since that time.

Winchester Commandery K. T., No. 12, meets third Monday in every month, Charles W. Hensell, eminent commander; H. Clay Krebs, recorder.

John Dove Royal Arch Chapter No. 21, meets second Friday in every month; Judge R. Parker, high priest; H. C. Krebs, secretary.

Hiram Lodge No. 21, A. F. & A. M., meets in Masonic Temple second Tuesday in every month; Samuel B. Baker, master; Charles E. Hoover, secretary.

Madison Lodge No. 6, I. O. O. F., meets in Odd Fellows' Hall every Monday; M. Forney, noble grand; R. L. Gray, secretary.

Shawnee Tribe No. 21, I. O. R. M., meets in Redmen's Hall every Tuesday; Hugh B. Striker, sachem; John I. H. Baker, chief of records.

Winchester Lodge No. 65, K. of P., meets every Thursday in Castle Hall; E. M. Houston, C. C.; William Riely, K. of R. & S. Endowment Rank, Section 870, K. of P., meets once in three months; H. D. Fuller, president; Henry Schneider, secretary.

I. O. G. T. meets every Friday in Red Men's Hall; Hugh B. Striker, C. T.; Richard Koontz, secretary.

W. C. T. U. meets every two weeks, on Thursday, in Odd Fellows' Hall; Miss Lonie Kern, president; Mrs. M. H. Spotts, secretary.

A. L. of H. No. 635, meets first and third Fridays of every month; John A. Rosenberger, commander; Richard L. Gray, secretary.

Company A, Actual Survivors Stonewall Brigade, meets in Judge W. L. Clark's law office, first Friday evening of each month; John H. Worting, captain; P. L. Kurtz, orderly sergeant.

Mulligan Post No. 20, G. A. R.; R. E. Houston, commander; Joseph Potts, secretary; meets in Red Men's Hall, Friday before the fourth Sunday.

STEPHENS CITY.

Stephens City, formerly Newtown, and originally Stephensburgh, was erected a town by act of assembly, September, 1753. Following is the act:

An act for erecting a town on the land of Lewis Stephens in the County of Frederick.

I. WHEREAS, it hath been represented to this present general assembly that Lewis Stephens, being seized and possessed of nine hundred acres of land, near Opeccan, in the county of Frederick, hath surveyed and laid out forty acres, part thereof into lots of half an acre each, with proper streets for a town, and hath caused a plan thereof to be made, and numbered from one to eighty inclusive, and hath annexed to each of the said lots numbered 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, five acres of land, and to each of the remaining sixty lots ten acres of land, part of the said nine hundred acres: All which lots, with the land annexed thereto, are purchased by different persons who are now settling and building thereon, and humbly desire that the same may be by act of assembly erected into a town, and that they may enjoy the like privileges as freeholders and inhabitants of other towns in this colony do enjoy.

Be it therefore enacted, by the Lieutenant Governor, Council and Burgesses, of this present General Assembly, and it is hereby enacted by the authority of the same, That the said nine hundred acres of land, so surveyed and laid off by the said Lewis Stephens, be, and the same is hereby erected and established a town, and shall be called by the name of Stephensburgh: And that the freeholders and inhabitants of the said town shall forever hereafter enjoy the same privileges as the freeholders and inhabitants of other towns erected by act of assembly, in this colony, do enjoy.

Stephens City, as will be seen from the above, ranks next to Winchester in age of establishment by law. Many years ago it was considerable of a manufacturing center, especially in wagons. It is located beautifully, and there seems to be every inducement for improvement. The Winchester & Strasburg Railroad passes not far from the town. It contains two very neat churches, Methodist and Lutheran. In 1789 Lewis Stephens made a deed for half an acre of ground, on the west side of Main Street, to trustees of the Methodist Episcopal Church, upon which lot, not long afterward, a log church was erected. The present edifice was built about fifty years ago. In 1799 Lewis Stephens, Jr., made a deed to trustees for two half-acre lots at the old graveyard for church purposes. About twenty years ago the town was incorporated, since which time it has a municipal government. Mr. Thomas H. Miller is the present mayor. From the Winchester *Centinel* of July 30, 1788, over 102 years ago, is gleaned the fact that Stephensburgh had a first-class tavern. Mr. William Glascock advertises that he has just opened a commodious tavern at the "Sign of the Ship," where he is prepared to furnish the best the market affords, including a "large variety of good liquors." He gives his prices as follows:

Lodging 6d.; Stabling 1s. pr. night.
 Spirits 4d. pr. gill.
 Continental rum 3d. pr. gill.
 Wines from 1s. 3d. to 3s. pr. pint.
 Toddy 1s. pr. pint.
 Porter 2s. pr. bottle.
 Punch 1s. 6d. pr. quart.
 Cattle kept in pasture 1d. per night.

In addition to several fine mercantile establishments there are here a large carriage and wagon manufactory and an extensive creamery.

MIDDLETOWN.

Middletown, situated south of Stephens City, is quite a bustling little city, it being also incorporated, and has a mayor in the person

of Dr. J. W. Larriek. It received its municipal privileges about 1878 or 1880, and Mr. J. W. Rhodes was the first mayor. In the year 1796 Peter Senseney obtained a charter for the purpose of erecting a meeting-house and school and establishing a graveyard. There are two churches in the town. A small Methodist Church was built at an early day, which gave way to the present one in 1852. F. A. Strother is the present pastor. The Episcopal Church is a very neat edifice. It was established under the auspices of Strother Jones, the Hites and others. It has mainly depended on the ministers of Winchester. Rev. Mr. Bryant and Rev. Mr. Irish were each for a time settled among them. Several years ago Prof. G. W. Hoenschall established a private normal school, which he conducted about four years, at one time having about 100 pupils. He moved farther up the valley. In addition to a number of fine stores, Middletown has an extensive woolen-mill and a creamery. Here is located "The Middletown Immigration and Industrial Improvement Company," Col. John M. Miller, president, and C. B. Guyer, secretary.

Kernstown and Marlborough both claim to have had the first church in the valley, and they certainly had places of worship at a very early day. There are two churches at Marlborough, Presbyterian and Baptist. The Presbyterian is the one claimed to have been the first, or rather one on the site of the present church. At Kernstown the foundation walls of the old Presbyterian, or, as it is claimed by the Reformers, the Reformed Calvinist Church, are still to be seen near the little yellow school-house half a mile from the village. In the graveyard are many ancient graves and tombstones, the oldest by far in the entire valley being one to the memory of the wife and two children of a Mr. Wilson, an Irishman, who is said to have been the school-master of that section. The rude slab is of the native limestone, rudely lettered, and now almost entirely illegible. It bears the date 1742. Brucetown, Gainesboro and a number of other smaller villages and hamlets dot the county, some of which have stores, mills and churches.

There are in Frederick County thirty-seven flouring-mills, including the largest steam roller-process mills in the State, eight woolen-factories and mills, one steam elevator of large capacity, two iron foundries, four glove factories, one boot and shoe factory, one sumac and bark-mill, three creameries, two canning establishments, two potteries, ten broom factories, a bottling establishment, four tanneries,

including one of the largest in the State, one extensive paper-mill, three newspapers and a book bindery, eight cigar factories, one novelty company, two cigar-box and paper-box factories, three marble-yards, two furniture factories, in addition to many other industries in various sections of the county. In April, 1889, electricity was introduced into Winchester, and the streets of that old colonial town, along which Col. George Washington rode and walked for several years, are now among the best lighted to be found anywhere.

CHAPTER XI.

ORGANIZATION OF BERKELEY COUNTY.

ACT OF CREATION—THE ORGANIZATION—FIRST JUSTICES—THEIR DUTIES FORMULATED—SHERIFF, CLERK AND ATTORNEYS—GABRIEL JONES AND ALEXANDER WHITE—FIRST WILL—FIRST RECORD OF CRIME—FIRST GRAND JURY—INHUMAN SENTENCES—THE WHIPPING-POST—RATE OF TAXATION—A JUDGMENT IN FAVOR OF G. WASHINGTON—MYSTERY OF "MORGAN'S SPRING" EXPLAINED—COUNTY SEAT—BUILDING A COURT HOUSE AND JAIL—PRISON BOUNDS—GENERALS HORATIO GATES AND CHARLES LEE—A NICE LAW POINT—INDENTURED SLAVES—FIRST CASE OF MURDER—THE REVOLUTIONARY PERIOD—EASY TRANSITION—EXIT GEORGIUS REX—THE NEW REGIME—"TAKING THE OATH"—SOME OLD PATRIOTS—SWIFT-WINGED JUSTICE—THE CHAMPION EXCESSIVE BAIL CASE—TAKING CARE OF SOLDIERS' WIVES—REMARKABLE WILL OF GEN. CHARLES LEE—POPULAR FALLACIES IN REGARD TO THAT ERRATIC SOLDIER—HIS REAL CHARACTER AND SURROUNDINGS—HIS DEATH.

UP to the creation of Berkeley County from the northern third of Frederick, the history of this section is identical with the mother county, and need not be repeated here. Increase in population and the necessity for a seat of justice a trip to which would not require two or three days, were the impelling motives on the part of the inhabitants of the lower portion of Frederick. Therefore, at the suggestion of Gen. Adam Stephen and others, followed by a petition to the General Assembly of the colony of Virginia, that body was induced to grant a three-fold separation of the extensive county of Frederick, stretching from the Potomac to the line of Augusta, nearly 100 miles, and from the Blue Ridge nearly to the Alleghany Mountains. The upper, or southern third was named Dunmore, in honor

of the colonial governor of that name, but which was changed to Shenandoah in 1777, in consequence of the public actions of his lordship. The middle third of course retained its original name, whilst the lower or northern third was named Berkeley, in honor, not of the infamous Lord Berkeley, the pliant tool of Charles II—the brutal Berkeley, who had Nathaniel Bacon assassinated, and who “thanked God,” as has been recited in a former chapter of this work, “that no schools or printing existed in the colony of Virginia”—but of Norborne Berkeley, Baron de Botetourt, the “good governor of Virginia,” as he was called, under George III. He died at Williamsburg October 15, 1770, two years prior to the erection of the county, and to whom a statue was erected by order of the General Assembly of Virginia, which stands in the campus of William and Mary College at Williamsburg, Va. The act creating the new county, passed in February, 1772, recites, that,

“WHEREAS, Many inconveniences attend the inhabitants of the county of Frederick, by reason of the great extent thereof, and the said inhabitants have petitioned this present General Assembly that the said county may be divided into three distinct counties, *Be it therefore enacted, etc.*, That from and after the 15th day of May, next, the said county of Frederick shall be divided into three distinct counties.”

The act proceeds to give the boundaries of the entire district, but the lines including and forming Berkeley County will be sufficiently understood by stating that what is now Berkeley, Jefferson and Morgan Counties, was the district laid off as Berkeley. The usual directions in regard to court days also accompanied the act.

Pursuant to the above act, and having received commissions from the governor, Lord Dunmore, the gentlemen named in the commissions assembled on the 19th day of May, 1772, and the following is the first minute of the proceedings.

“*Berkeley County, ss.*

“Be it remembered that at the house of Edward Beeson, the 19th day of May, 1772, a commission of the peace and a commission of Oyer and Terminer, from his excellency, Lord Dunmore, dated the 17th day of April, in the year aforesaid, directed to Ralph Wormley, Jacob Hite, Van Swearingen, Thomas Rutherford, Adam Stephen, John Neville, Thomas Swearingen, Samuel Washington, James Nourse, William Little, Robert Stephen, John Briscoe, Hugh Lyle, James



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Strode, William Morgan, Robert Stogdon, James Seaton, Robert Carter Willis and Thomas Robinson, and also a dedimus for administering the oath directed to the same persons, or any two of them, were produced and read; whereupon the said Van Swearingen, having first taken the usual oath to his Majesty's person and government, repeated and subscribed the test, taken the oaths of a justice of the peace, of a justice of the county court in chancery, and of a justice of Oyer and Terminer, which were administered to him by the said James Nourse and William Little, he, the said Van Swearingen, then administered the same oaths unto Thomas Swearingen, Samuel Washington, James Nourse, William Morgan, William Little, James Strode, Robert Stephen, Robert Stogdon, Robert Carter Willis and James Seaton, who severally took the same, and repeated and subscribed the test."

Previous to the opening of the court as recited, the governor, Lord Dunmore, had forwarded to the gentlemen named as justices, a commission enumerating their duties, etc., the original of which is still preserved in the clerk's office at Martinsburg, with the bold signature "Dunmore" appended thereto. The document reads:

"*Virginia Sel.* John, Earl of Dunmore, his Majesty's Lieutenant and Governor-General of the Colony and Dominion of Virginia, and Vice-Admiral of the same, to Ralph Wormley, Jacob Hite, Van Swearingen, Thomas Rutherford, etc. (naming the other justices), greeting: Whereas, in pursuance to an act of assembly made at a General Assembly begun and holden at the capital in the city of Williamsburg, in the fifth year of his present Majesty's reign, entitled 'an act for amending the act entitled an act directing the trial of slaves committing capital crimes, and for the more effectual punishing conspiracies and insurrections of them, and for the better government of negroes, mulattoes, and Indians, bond or free,' the governor or commander-in-chief of this colony, for the time being, is desired and empowered to issue commissions of Oyer and Terminer, directed to the justices of each county, respectively, empowering them, from time to time, to try, condemn and execute, or otherwise punish or acquit all slaves committing capital crimes within their county: Know ye, therefore, that I, the said John, Earl of Dunmore, by virtue of the powers and authorities to me given by the said act as commander-in-chief of this dominion, do assign and empower you, the said Ralph Wormley, Jacob Hite, etc., or any four or more of you, whereof any of you, the

said [named parties] shall be one, justices, in such manner, and by such ways and methods, as in the said acts of the General Assembly, are directed, prescribed and set down, to enquire of and hear and determine, all treasons, petit treasons, or misprisons thereof, felonies, murders or other offences, or capital crimes whatsoever, committed or perpetrated within the said county, by any slave or slaves whatsoever; for the better performance whereof, you, or any four or more of you, as aforesaid, are hereby required and commanded to meet at the courthouse of the said county, when thereunto required by the sheriff of the said county, for the trial of any slave or slaves, committing any of the offences above mentioned, and any such slave or slaves being found guilty in such manner, and upon such evidence as the said acts of the General Assembly do direct, to pass judgment as the law directs for the like crimes, and on such judgment to award execution, or otherwise to acquit, as of right ought to be done, or to carry into execution any judgment by you given on such trial. Given under my hand and the seal of the Colony, at Williamsburg the 17th day of April, 1772, in the twelfth year of the reign of our Sovereign Lord, George the Third. DUNMORE."

The justices being duly sworn and their authority exhibited the court was formally opened and proclaimed, and at once proceeded to business, the gentlemen named above being present.

William Drew, having produced a commission from the honorable secretary of the colony, Thomas Nelson, Esq., appointing him clerk of the court, and the same being read and approved by the said court, the said William Drew having first taken the oaths to his Majesty's person and government, took and subscribed the abjuration oath, and repeated and subscribed the test, was sworn clerk of the court.

Adam Stephen, having produced a commission from Lord Dunmore as sheriff for Berkeley County, took the required oaths, gave bond and entered upon the duties of the office. Samuel Oldham was appointed deputy sheriff.

Alexander White, having produced a commission from the attorney-general of the colony appointing him deputy king's attorney for Berkeley County, took the required oaths, etc., and was sworn into the position named.

Of course, there were attorneys on hand ready to help prospective clients out of difficulties. James Keith, John Magill, George Brent, George Johnston, Philip Pendleton and Alexander White applied for

admission to practice as attorneys at the new bar just being established, and they severally taking all the oaths required were admitted to the privileges they sought. And these six gentlemen were no ordinary men. All of them were afterward prominent in various ways. James Keith, who practiced his profession over nearly the entire commonwealth of Virginia for a period of about sixty-four years, in addition to being a lawyer of note, had the remarkable experience of being clerk of the court of Frederick County for *sixty-two years and five months*, as shown in that portion of this work covering Frederick County. He entered upon his duties as clerk in the spring of 1762, and held it till his death in the fall of 1824. John Magill, in addition to being a lawyer of eminence, was the progenitor of a race of lawyers, five or six in number, who adorned their profession for over half a century. George Brent was one of the brilliant men of his time, and George Johnston was a compeer of the famous Gabriel Jones, who applied for admission to practice as far back as 1743, and who had the good fortune to live partially through the Revolutionary period, he being one of the first to apply for admission to practice under the new regime, in 1776. The name of Pendleton has always been associated with those in the front ranks of the law, whilst Alexander White had no superior and but few equals in his profession. He was engaged by the Quakers, who had been sent to Winchester during the latter part of the war of the Revolution, from Philadelphia, for giving aid and comfort to the English. He obtained the release of the prisoners, but privately said that, although he never desired to lose any case that he undertook, yet he would have rejoiced to have seen the full penalty of the law enforced against those "scoundrelly Tories." White was also a delegate to the convention of Virginia that ratified the Federal Constitution, and he voted to adopt it, having made some most powerful speeches in its favor.

The first will to be probated was that of Dugall Campbell, and the first mortgage to find record was "an indenture of bargain and sale," from John Lemmon to Jacob Vandiveer. The church wardens were ordered to bind out a boy by the name of O'Neal, an orphan, to William Dick'y. Edward Lucas produced a certificate from a constable vouching for the fact that said Lucas had exhibited ten hundred and one-quarter pounds of winter-rotted hemp, for which he was entitled to a bonus.

Thomas Swearingen, gentleman, was ordered to take the list of

tithables and wheel carriages included in the following districts: From the mouth of the Opequon up the same to the Warm Spring road; thence down the said road to Robert Lemmon's; thence to Potomac at Mecklenburg, and return the same to court. William Morgan, William Little, James Nourse, James Seaton, James Strode, Robert Carter Willis, Robert Stephen, and Robert Stogdon, were also ordered to take lists in their various districts. Thomas Turner, James Quigley, Thomas Flagg, Matthias Shaw, Stephen Boyles, Henry Beddinger, Morgan Hughs, Jr., Thomas Babb, Robert Kennedy and William Graham, were ordered to appear and be sworn in as constables.

The court, as indicated at the opening above, was held at the house of Edward Beeson, but there was as yet no jail for offenders, so the sheriff was ordered to "confine such persons as he may take into custody at such place as may be most convenient for him, and that he bring in any charge that may accrue for the better securing the said persons, at the laying of the next county levy." Robert Worthington and David Shepherd were appointed coroners and sworn in, and William Jenkins was ordered to apply to the public printer of the colony for a sufficient number of law books for the use of the county.

First record of crime appearing in the minute book of the justices is as follows:

"At a court held in Berkeley County the 18th day of August, 1772, for the examination of Richard Lewis, committed upon the suspicion of forging the hands of Samuel Strode and Jonah Simmons, present Thomas Swearingen, Robert Stephen, Robert Carter Willis, William Little, and James Seaton, gentlemen, justices.

"The prisoner being sett to the Barr and being asked whether he was guilty of the offense wherewith he stood charged, or not guilty, declared that he was guilty, whereupon the prayer of the said Deft. to have some Punishment inflicted upon him immediately, It is ordered that the sheriff do take him to the Whipping-Post and give him 30 Lashes well laid on upon the bare Back."

What the extent of the forgery was in this case doth not appear by the records, and one may, from the stand-point of our highly advanced ideas of justice and mercy in combination, be inclined to look upon the sentence as severe, seeing that the prisoner promptly acknowledged his guilt, but it must be remembered that forgery at that primitive day was an extremely heinous offense—a felony, in fact—and punish-

able to the fullest extent of man's devising, short of torture, and many a poor criminal had had his neck stretched for the crime named; therefore, the old justices were not such a heartless set as we sometimes think they were: the times made the men and their ideas—they simply carried out the statutes as they knew them. The first whipping-post was probably an improvised affair: some convenient tree or fence-post, but the "authorized edition," erected later, stood in front of where the present court-house stands.

At this court, August, 1772, the first license to keep an ordinary (a tavern) was granted to John Miller, one being also granted to George Hilleback. Thomas Shepherd also obtained permission to erect a mill on a stream of water running through the town of Mecklenburg (Shepherdstown). A seal for the use of the county was ordered to be procured. It was made of silver, and fell into the hands of some thieving vandal during the late war, who carried it off and confiscated it, after a service of nearly 100 years. The seal of Frederick County, made 132 years ago, is still used.

But here is an item recorded September 15, 1772, that is of interest in these centennial times: Col. Samuel Washington, a relative of the immortal George, and one of the justices, who the year before (1771) whilst serving as colonel of the militia of Frederick County had appointed the "old wagoner," Daniel Morgan, a captain of militia, asked "permission to erect a water grist-mill on Bullskin Run, on the land he purchased of Philip Pendleton."

As a matter for preservation the following "first grand jury" is copied: John Smith, foreman; Hezekiah Swearingén, Josiah Swearingen, Joseph Barnes, Martin Antler, Joseph Turner, Abraham Smith, John Taylor, Samuel Taylor, Jonathan Simmons, George Cunningham, William McConnell, Jacob Beller, Andrew McCormick, Matt Duncan, John Sewell, Thomas Lafferty and George Creamer. No presentments were returned, which is quite commendable in the inhabitants of the new county. In those old colonial, kindly days offenders had to hide their deeds pretty securely, and when caught there was not much dilly-dallying with the culprit. In nearly all cases when an alleged criminal was brought before the justices they asked him a few questions, examined a witness or two, and then decided for themselves, immediately discharging the prisoner, or sending him off at once for punishment. But there was one practice that stands as an eternal disgrace, even for that age. It was so inhuman that it is a

wonder that even the cold judicial hearts of those who awarded the punishment in the cases referred to, did not rebel against the barbarity of it. It was in accordance with law, but still that law was flexible. It originated in the midst of fanatical religious excitement in England, at a time when the law-makers thought they were doing the Almighty a favor by anticipating his after-death punishments. The burning of alleged witches was an outgrowth of this same fanaticism, and it would have been less improper by Cotton Mather and his descendants, but how the Cavaliers ever tolerated the relic of barbarism is strange indeed. What is referred to is the whipping of females because they were wronged and bore the fruit of their sin. A delicate girl being arraigned before the justices charged with illegally bearing a child, would almost invariably be sentenced to be "taken to the common whipping-post and receive twenty-five lashes on her bare back well laid on." Imagine the poor weeping girl, with her delicate back bared, tied with her arms clasping the post, shuddering and quivering beneath the cruel strokes of the ferocious executioner. And these things were done almost up to the declaration of Independence, scarcely more than 100 years ago. It is astonishing how slowly progress progresses.

November 17, 1772, the first county levy was laid, the amount being £591 3s. 0d.; the number of tithables were 2,252, and the rate 5s. 3d. After paying off the entire indebtedness of the county and appropriating £450 (nearly \$2,200) for the building of a court-house and jail, the sheriff had in his hands at the next levy nearly \$75. But here is an item referring to that illustrious man, any fact in regard to whom is now valued, be it ever so insignificant.

"Nov. 18, 1772, on the motion of Col. George Washington, judgment is granted him on a replevying bond against David Kennedy and James McCormick, legal notice having been given them."

This is the only mention of the "father of his country" within the covers of the Berkeley records. Washington was the owner of several tracts of land in the eastern portion of Berkeley County, now Jefferson, and the suit indicated above was, possibly, instituted for the recovery of payment for the purchase of land.

James Keith, the old clerk and lawyer, was appointed overseer of the road from his mill into the road leading to Sniggers' Ferry. This adds another occupation to the busy old gentleman. November 20, John Nevill, in whose house the jail was kept, as will be shown further

along, James Seaton and James Strode, gents, were appointed to lay off the prison bounds. The first case of counterfeiting was reported at this court: William Merchant and Barnaby Hagan were convicted of counterfeiting money of the coin of this colony, and sentenced to give bonds in the sum of £50 each for their good behavior. The following entry found at the close of the proceedings of one of the sessions of the November term of the court has always puzzled those who have given the matter any thought:

"Adam Stephen, Esq., having produced a writ from the secretary's office adjourning the court to Morgan's Spring, on the lands of the said Stephen, in this county, which being read, ordered that the court do adjourn until to-morrow morning, nine o'clock, and then to meet at the place of adjournment, according to said writ."

Now where was the Morgan's Spring alluded to? The first thought is of the famous spring on the place of Col. W. A. Morgan, near Shepherdstown. Jefferson at that time being a portion of Berkeley County, clearly that would seem to be the locality. But it was not, for several reasons: Adam Stephen never owned the land on which is located the spring named, as it happens that the Morgan plantation has never passed out of the possession of the descendants of Richard Morgan, who obtained his grant from Gov. Gooch away back in 1730, or thereabouts. Another reason is that Stephen would not have schemed to take the county seat away from his town, Martinsburg, which, although not named nor established by law as yet, was ten or a dozen years old at that time, and contained a mill and a number of houses and taverns. Another family of Morgans lived up near Bunker Hill, but Adam Stephen would not have moved the court there; his land was all around and in Martinsburg, and he had every motive to keep the court-house here. The only conclusion that can be arrived at is that the spring which has been known as the Town, or Stephen's Spring, by some now unexplainable process became known as Morgan's Spring, which afterward fell into disuse. The only plausible theory in regard to the name is this: Morgan Morgan, the first justice named in the commission of the peace for Frederick County, was a very early settler in this section, he being put down as being here as early as 1826 by one historian. Morgan owned many thousands of acres of land, and it is possible (although the writer has no data for the assertion save what is here given) that he may have originally owned the land upon which the "Morgan Spring," alluded to, was located.

Certain it is, however, that the county seat was never moved away from where it now is. It was moved from Beeson's house which stood a short distance north of the city of Martinsburg *into* the town, and until the building of the court-house the court was held in a house belonging to Joseph Mitchell, and a building belonging to John Nevill was rented for a jail. These facts are established by the county levies, wherein it appears that "Joseph Mitchell was paid the sum of £7:10 for the use of his house as a court-house," and "John Nevill was paid the sum of £5 for the use of his house as a jail."

Where did Joseph Mitchell live? In confirmation of the supposition that he lived in Martinsburg there is a minute on the records which states that Joseph Mitchell and three others were appointed to "view the ground for a road from Martinsburg to the Opeckon." Also to "view ground for a road from Winchester by the Watkin's Ferry road to run through Martinsburg." The court was moved to the house of Isaac Taylor about 1774, as the next levy shows that he was paid £5 for the "use of his house to hold court in." The court-house was not finished for several years after the last date given. Joseph Mitchell served in the Continental army as a captain, and is said to have joined Daniel Morgan at the famous spring in the fall of 1775. After his return he kept a tavern.

The writer has thoroughly examined the records in regard to the "Morgan's Spring allusion," and has given the result thereof, from which there can be no doubt of the inference—that Martinsburg always has been the seat of justice for Berkeley. And in regard to that story of a serious contest between Adam Stephen and Jacob Hite, related by Kercheval, over the location of the county seat, which resulted in the death, indirectly, of Hite, there appears not one iota of evidence of a contest upon the records. The justices advertised for some one to build the court-house and jail, their proposition was accepted, and the buildings erected in Martinsburg as a matter of course.

November 15, 1772, the justices ordered the sheriff to advertise the letting to the lowest bidder of the building of a public jail, to be thirty-six feet long and thirty feet wide, with three rooms on a floor, and the walls to be built of stone and lined with two-inch plank, a plan of which was to be exhibited in December. At the same time the letting of the building of a court-house of stone was to take place, a plan of which was also to be furnished. Adam Stephen appeared

before the court and agreed to provide at his own expense all the plank and scantling for the building of the court-house, and have the same ready at his mill when he should be called upon, and that he would also donate an acre of ground upon which the proposed buildings should be placed. This generous proposition was made, it appears, with the provision that work should immediately commence by the county. Work did not begin, however, for the records state that Sheriff Stephen appeared before the justices on the 19th of January following and canceled a portion of his proposed gift. He would give the stone and an acre of land, but not the lumber, which made a vast difference, when one considers with what prodigality nature has blessed this particular locality with fine building limestone, and as to an acre of land at that date, it was a mere bagatelle. Anybody could have an acre or more anywhere, almost, if he would put a building upon it.

At this same session of the January court, the justices promulgated the following order: "That Van Swearingen, Thomas Swearingen, James Nourse and James Strode, gents., or any two of them, do, on the 19th day of April next, let to the lowest bidder, the building the court-house and gaol for the county, agreeably to the plans which are now lodged in the clerk's office; and it is ordered that the said gents., if they think it necessary to make any little alteration in the said plans, at the letting the said building, that they are hereby empowered so to do; and it is further ordered that the clerk of the court do advertise the letting the said court-house and gaol in the Virginia and Maryland Gazettes if he can conveniently do it."

The contract was duly advertised, but no bidder came forward, and in June the sheriff was again ordered to advertise the matter. Contractors seem to have been scarce, and not until August were the justices able to get any one to undertake the job. William Brown agreed to accept the contract, with the proviso that he receive in advance half the stipulated sum to be paid therefor, which sum (£400) was handed to him on the 18th of August. The remaining £412 was to be paid him as the work advanced. An alteration in the original plan of the court-house was made, so that the seat of the justices and the back wall of that building should be circular in form, instead of square, as at first proposed. The building of the court-house moved along slowly, but by December of the next year, 1774, the jail was completed and turned over to the authorities. Robert Cockburn, the county surveyor, was ordered to lay off ten acres as prison bounds to include the court-

house and jail, and that a stone be set up at each of the four corners of the "bounds," to mark the same. Stocks and a pillory were erected about this time. In this connection it is appropriate to state that the thoughtful justices ordered that the price of liquors in Berkeley should be the same as in Frederick County.

Work on the court-house must have progressed exceedingly slowly, or to have ceased entirely for several years, for as late as March 18, 1778, the justices ordered a committee of their board to agree with workmen to finish the court-house, "in accordance with the plans of the original contractor, who had gone into the service of his country," which slight entry on that old order book tells a tale highly honorable to the old contractor, William Brown, who preferred helping his struggling countrymen on the field of battle to making money at home.

In September James McAllister was ordered to procure window glass for the use of the court-house, and the "finishing the court-house" was ordered to be let to the lowest bidder on the third Tuesday of March, 1779, £500 being appropriated for that purpose. The contract was advertised three times in the *Virginia Gazette*. By 1780 the building was completed at last and was used till the present one was built.

January 15, 1773, Horatio Gates, afterward a noted general in the Revolutionary army, was appointed a justice in the new commission of the peace, among a number of others. Gates was also appointed to take the list of tithables and wheel-carriages from Opeckon, where the Warm Spring road crosses up the same to Jonathan Seaman's, thence down the road to the county line at Vestall's ford; thence to Potomac and up the same to Mecklenburg; thence up the road to Robert Lemmon's; thence with the Warm Spring road to Opeckon. Later on an allusion is made to another historic character, one of the famous trio who came out of the Revolution in disgrace, and who lived in Berkeley County at the time indicated: In laying off roads and appointing overseers of the same, a road is specified as running "from the cross roads opposite Gen. Horatio Gates to the bridge, including the bridge at Gen. Charles Lee's plantation." These old extracts take one back to historic times, and bring fresh to the mind scenes that were not only fraught with moment to the struggling colonies, but painful to all concerned.

A case involving a nice point of law came up before the court of jus-

tices in 1773: John Potts was arrested and arraigned for feloniously assaulting Jude Mackail, and her evidence was alone and unsupported. Jude was a Roman Catholic, so Pott's attorney sprang the point on her that before she could testify she must take the oath of "allegiance, abjuration and supremacy," which was necessary on the part of all who sought anything at the hands of the supporters of King George. The oath indicated avowed entire adherence to the English sovereign, and rejected the Pope and all things papistical. The attorney knew she would not dare, in the face of her religion, take such an obligation, and the point was admirably taken, but the old justices with singular *justice* admitted her testimony without the "test," yet when they came to a verdict they pronounced Potts *not* guilty, evidently balancing matters, as it were, and reconciling their consciences for having permitted themselves in the cause of justice to swerve away from the landmarks established by their divinely appointed sovereign.

Martinsburg was so known by name at this time, 1773, and long before that period, as is shown by various parties being made overseers of roads in that town, although its establishment and regular christening did not occur till 1778.

At March court, "On the motion of Richard Stephenson, ordered that John Sevanick serve his master, Valentine Crawford, 196 days after his time of indenture has expired, agreeable to act of assembly, for absenting himself from his master's service; and three years and a half and thirty-one days, or pay fifteen pounds, thirteen shillings and three pence, for expenses and apprehending him." That was the plan by which when a servant once became indentured, he was held frequently for the natural term of his life. The greater number of these indentured persons were brought from Ireland. They were too poor to pay their own passage money and sold a stipulated portion of their time to men who made a business of bringing them over. But woe to the poor man or woman who would fall into the hands of such tyrants as the Stephenson named above. In cases of that character the servant was as much a slave to his master as any negro ever was. There was no escape for him, for the law upheld the master. In many cases where these servants ran away the master was privileged to put an iron collar upon the unfortunate, to place fetters about their wrists, and to shave their heads and eyebrows, as has been shown in another portion of this work. There was a bonus offered to persons who would bring into the colony these servants, and an item of the

proceedings of a session of the court held January 17, 1775, shows the fact. It reads: "James Nourse made oath that he had imported fourteen persons into this colony from Great Britain, and that he had not as yet received the land to which he was entitled for so doing."

The first case of murder after the creation of the county occurred in April, 1776, as on the 27th the prisoner was arraigned before the justices, who, after an examination, sent her on to Williamsburg for trial. The person charged was Mary Howard, and her alleged victim was her own infant. What became of the case is not stated.

It may be a matter of interest to the reader to know the process by which the transition from monarchical to republican allegiance was effected. The records show the transformation, but it is all so much a matter of course, and so easily done, that one would pass over it, were he not looking especially for the facts in relation thereto. The old justices and all the balance of the other officers stepped so imperceptibly into the new harness and began to pull the other way so readily, that they appeared as if they had been accustomed to it all their lives. The entry in the order book is as follows:

"An ordinance of the Honorable Convention of this Commonwealth of Virginia directing that the different members named in the former commission of the peace should continue to act in the said office, upon their taking the oath prescribed by the said ordinance, was read, Whereupon Robert Carter Willis and John Cook administered the said oath to Samuel Washington, who took the same and then the said Samuel Washington administered the said oath to all the aforesaid members, who took the same as Justices of the Commonwealth."

The justices requested to serve were those appointed by Lord Dunmore in April, 1773, and were: Ralph Wormley, Adam Stephen, John Nevill, Samuel Washington, Robert Stephen, Robert Carter Willis, Robert Tabb, Horatio Gates, John Throckmorton, Thomas Lowry, John Cooke, John Aviss, Godwin Swift, William Patterson, Henry Whiting, Robert Worthington, Morgan Morgan and William McGaw.

December 9, 1776, a new commission was granted, under the authority of the "Commonwealth of Virginia," and the following gentlemen were named for Berkeley County: Adam Stephen, John Nevill, Samuel Washington, Robert Stephen, Robert Carter Willis, Horatio Gates, John Cooke, John Aviss, Godwin Swift, William Patterson, Henry Whiting, Robert Worthington, Morgan Morgan,

William McGaw, James McAlister, Anthony Nobles, John Morrow, Robert Throckmorton, John Gaunt, Walter Baker, George Grundy and George Cunningham. The duties of the justices were about the same as under English rule, but all allusions to "Our Sovereign Lord," etc., were conspicuously absent, as well as those clauses instructing the justices to "defend the name of the King" and his government, and to "punish all treasonable practices."

This important proceeding occurred August 20, 1776, and business went on as usual, there not being one solitary objector or flincher in the entire body, which is more than can be said of grand old Frederick County, where several of the justices declined to serve under the new regime, and Thomas Bryan Martin, after whom his friend, Adam Stephen, named Martinsburg, was one of them, too, who flatly refused to serve. But those who failed to come to time in those "trying days" were, possibly, under the influence of Lord Fairfax, who also refused, although he was chief justice of Frederick County.

To return to Berkeley: William Drew stepped forward and was sworn in as clerk, under "His Excellency Patrick Henry," and Messrs. Alexander White, Philip Pendleton, John Magill, Henry Peyton and Dolphin Drew flung down the gauntlet to Georgius Rex by taking the oath of fealty to the commonwealth of Virginia and having their names registered as attorneys.

Samuel Washington was recommended to the governor as a suitable person for sheriff, the incumbent at that time being engaged in the service of his country and stationed at Fort Pitt. The incumbent must have been Gen. Adam Stephen, although John Nevill had been filling the position of sheriff for some time; at least he is recorded as having been appointed in 1775, possibly only temporarily, after Gen. Stephen had departed for the seat of war. David Hunter was appointed jailor.

John Skelding was appointed deputy clerk of the court during the absence of William Drew, the clerk, and in this connection, as showing the current feeling and English intolerance of the time, the following "test" is here printed. It is to be found at the back of one of the minute books and is signed by John Skelding, evidently placed there when he was appointed deputy clerk. It was necessary for officers, when being sworn in, to repeat and "subscribe" this so-called "test," and a singular fact in connection with this particular case is that it was enforced after Virginia had cut loose from English domination. But here is the brilliant gem:

"I do declare that I believe that there is not any Transubstantiation in the Sacrament of the Lord's Supper or in the Elements of of Bread and Wine at or after the consecration thereof by any person whatsoever.

JOHN SKELDING."

In a former chapter of this work a case of speedy vindication of the law is given in the primitive times before 1800, but the appended example in this county rather throws into the shade any attempt in that line made in Frederick. The entire proceedings as recorded, November 20, 1776, are contained in one simple paragraph to the following effect:

"Proclamation being made for the trial of Nace, a negro man belonging to General Horatio Gates, committed to the gaol of this county, and for breaking open the cellar of the said General Gates, and feloniously taking from thence a chest of money and clothes; who, being brought to the bar, and it being demanded of him whether he was guilty of the offence wherewith he stands charged, or not guilty, he says he is guilty. It is therefore the judgment of the Court that he be remanded back to the gaol, from whence he came, and there to continue till the third Friday in December next, then from thence to be taken and hanged by the neck till he is dead. It is the opinion of the court that the said slave is worth seventy pounds."

This was the first execution in Martinsburg, and it will be noticed that the law was not only vindicated but the owner lost nothing by the death of his slave.

April 3, 1777, Col. Samuel Washington, in consequence of his health, which rendered him unfit for public business, requested leave to resign his commission as county lieutenant, which was granted and Van Swearingen was appointed in his place. Philip Pendleton was appointed in the place of Van Swearingen who was colonel of militia, and Robert Carter Willis in the place of Pendleton, who was lieutenant-colonel of militia. Col. Washington did not long remain inactive, for in two weeks' time from the date given, he entered the Continental army and was a gallant officer to the close of the great struggle.

Berkeley was not behind in taking care of the wives and widows of the gallant soldiers who left their happy homes and comfortable firesides, and risked their lives and health in northern snows and southern marshes. She contributed liberally, not only in men and the

munitions of war, but gave sums of money to numbers of families that had been left helpless by the departure of a husband, father, son, or brother. Rachel Stewart, wife of William Stewart was allowed \$15 for her present support; sums were given to the family of John Mitchell; the wife of John McDonald; wife of John Swan; wife of William Mathenger; wife of Joseph Bowers, and a number of others. And the old patriots were going to be sure that no Tories were around, for they appointed Mr. William Pattison to administer the oath of fidelity to any and everybody, and particularly to those whom they suspected of being tainted with "disloyalty." Mr. John Morrow was also appointed to perform the pleasant task of oath-administering. As previously stated, under circumstances quite similar in Frederick, that little trick of "making 'em take the oath" duplicated itself in a very "modern instance," and it is possible the reminder may bring to the faces of not a few of the elderly and middle-aged citizens of Berkeley something akin to a smile, as their memories run back to provost marshals and other high and low dignitaries of the era of 1861-65.

The Revolution was now at its great turning point, 1778, although the end was far off as yet. Very few of the able-bodied men remained at home during those wild and uncertain times; and although the contest waged hundreds of miles away, yet the Valley continued to contribute its more than quota, when compared with the denser populated districts nearer the seaboard. It had furnished at least five of the great leaders, and no matter what apparent disgrace has attached to the names of two or three of them, through circumstances that may have had palliating conditions, yet they were undoubtedly patriotic and did voluntarily what they could have evaded had they chosen so to do, and in regard to one of whom, at least, the writer may have something to say further along.

Among the many cases tried before the justices the following, beyond a doubt, stands without a parallel, in one feature, at least, as it certainly is the champion "excessive bail" case on record. It happened March 17, 1778. James McGonigall, a son of Erin, was arraigned before the court charged with creating a riot in Martinsburg, and after listening to witnesses the prisoner was remanded to jail in default of furnishing bail—the amount of which was set at £10,000, nearly \$50,000, which at that day was equal in purchasing power to over \$100,000! There is no mistake in the figures, for it is repeated two

or three times. Just what kind of a riot Mr. McGonigall created by himself (no one else being charged with the offense appearing by the records) is difficult to determine, but it must have been terribly flagrant, or the justices were very prejudiced. Yet, a glance at the date may partially explain the matter, for be it remembered that the 17th of March is St. Patrick's Day. Possibly Jimmy was celebrating the natal day of his patron saint and took aboard too much of the "craythur" and got into a "bit of a discushion" with a gentleman also loaded to the muzzle. But he was not permitted to languish long behind the bars, for such prominent endorsers as Michael McKewen, William Patterson and James Millin came to his aid and had him released.

Among the old documents preserved in the clerk's office of Berkeley County is the following will of Maj-Gen. Charles Lee, one of the most eccentric as well as highly educated officers of the Revolution. He was an Englishman and in no way connected with the other Lees of Revolutionary fame. He left no descendants. The document is reproduced here entire, and gives a clearer insight into the man's character than comments can convey.

"I, Major General Charles Lee of the county of Berkeley in the Commonwealth of Virginia, being in perfect health and of a sound mind, considering the certainty of death and the uncertainty of the time it may happen, have determined to make this my last Will and Testament in manner following. That is to say I give and bequeath to Alexander White, Esquire, one hundred Guineas in consideration of the zeal and integrity he has displayed in the Administration of my affairs, Also the choice of any two of my Colts or Fillies under four years of age. Item, I give and bequeath to Charles Minn Thruston Esquire Fifty Guineas in consideration of his good qualities, and the friendship he has manifested for me, and to Buckner Thruston, his son, I leave all my books, as I know he will make a good use of them. To my good Friend John Mercer Esquire of Marlborough in Virginia I give and bequeath the choice of Two Brood Mares, of all my Swords and Pistols, and Ten Guineas to buy a Ring. I would give him more but as he has a good estate and a better genius he has sufficient if he knows how to make a good use of them. I give and bequeath to my former Aid de Camp Otway Bird Esquire the choice of another brood mare, and Ten guineas for the same purpose of a remembrance Ring. I give and bequeath to my worthy Friend Colonel William Grayson

of Dumfries the second choice of two colts and to my excellent Friend William Steptoe of Virginia I would leave a great deal, but as he is now so rich, it would be no less than robbing my other friends who are poor. I therefore intreat he will only accept of five Guineas, which I bequeath to him to purchase a Ring of affection. I bequeath to my old and faithful servant, or rather humble Friend Giusippi Minghini, three hundred Guineas with all my Horses, Mares and Colts of every Kind, those above mentioned excepted, likewise all my wearing apparel and plate, my Wagons and Tools of Agriculture, and his choice of four milch Cows. I bequeath to Elizabeth Dun my House-keeper one Hundred Guineas and my whole stock of Cattle (the four milch cows above mentioned only excepted) I had almost forgot my dear friends (and I ought to be ashamed of it) Mrs. Shippen, her son Thomas Shippen and Thomas Lee Esquire of Belle View. I beg they will accept Ten Guineas each to buy Rings of affection.

"My Landed Estate in Berkeley I desire may be divided in three equal parts according to Quality and Quantity. One third part I devise to my dear Friend Jacob Morris of Philadelphia. One other third part to Evan Edwards both my former Aid de Camps and to their Heirs and Assigns. The other third part I devise to Eleazer Oswald at present of Philadelphia and William Goddard of Baltimore (to whom I am under obligations) and to their Heirs and Assigns, to be equally divided between them. But these Divisions are not to enter until they have paid off the several Legacies above mentioned with interest from the time of my death, and all taxes which may be due on my Estate. In case I should sell my Landed Estate I bequeath the price thereof (after paying the above Legacies) to the said Jacob Morris, Evan Edwards, Eleazer Oswald and William Goddard in the proportions above mentioned. All my Slaves of which I may be possessed at the time of my decease I bequeath to Giusippi Minghini and Elizabeth Dun to be equally divided between them. All my other property of every kind, and in every part of the world (after my Debts Funeral charges and necessary expenses of Administration are paid) I give devise and bequeath to my sister Sidney Lee her Heirs and Assigns forever.

"I desire most earnestly that I may not be buried in any Church or Churchyard, or within a mile of any Presbyterian or Anabaptist Meeting house, for since I have resided in this country I have kept so much bad company when living, that I do not chuse to continue it

when dead. I recommend my soul to the Creator of all Worlds and all Creatures, who must from his Visible Attributes be indifferent to their modes of Worship or Creeds, whether Christians, Mahometans or Jews, whether instilled by education or taken up by reflection, whether more or less absurd, as a weak mortal can no more be answerable for his persuasions, notions or even scepticism in Religion than for the colour of his skin. And I do appoint the above mentioned Alexander White and Charles Minn Thruston Executors of this my Last Will and Testament, and do revoke all former and other wills by me heretofore made.

"In Witness whereof I have hereunto set my hand and seal this ——— day of ———, in the year of our Lord One Thousand Seven Hundred and Eighty-Two. CHARLES LEE.

"Signed, sealed, published and delivered by the said Major General Charles Lee, as and for his last will and testament in presence of

"JAMES SMITH.

"SAML. SWEARINGEN.

"WILLIAM GARRARD."

The character of Gen. Charles Lee was a singular admixture of great talents, educational advantages, ambition, bravery, and more than ordinary military skill, combined with such lack of principle in the attainment of his ends that it overshadowed and blotted out the good that was in him. He is said to have been born in Wales, but was educated in England and was an Englishman to all intents and purposes. He entered the military service at a very early age, and was with Braddock in his disastrous campaign wherein that general lost his life. At Ticonderoga Lee was a captain of grenadiers, and afterward, as a colonel, he was with Burgoyne in the Spanish wars. Leaving the British service in consequence of some real or fancied grievance, he became a soldier of fortune, and fought in Germany, Poland and Italy. In the latter country he fought a duel with an Italian officer, and killing him, he had to fly. Coming to America about 1773, he shortly afterward purchased the estate referred to in his will, in Berkeley County, now in Jefferson, the little hamlet of Leetown being called after him.

When matters began assuming a belligerent attitude in the colonies, Gen. Lee warmly espoused the American cause, and urged immediate armed resistance. The Continental Congress appointed him second of the five major-generals under Washington, much to the disappoint-

ment of Lee, who desired to be commander-in-chief. The jealousy of Lee continuing, his military career was cut short after the battle of Monmouth, where he behaved so that Washington ordered him to the rear; a court-martial followed, which found him "guilty of disobedience, misbehavior before the enemy, and disrespect to the commander-in-chief," and was suspended from all command for twelve months. This punishment not quelling him, and he continuing to abuse Washington and criticise the court-martial that condemned him, in addition to an impertinent letter, Congress finally dismissed him from service.

Retiring to his estate in Berkeley County he lived the life of a half recluse, although he had the companionship of two other worthies, of whom mention will be made hereafter. The house of Gen. Lee was a one-storied affair, but evidently comfortable for the period, and not at all in accordance with the descriptions given by the historians from Bancroft down, who try to make it appear that Lee lived in a hovel with his dogs, etc. His will gives the contradiction to those assertions, for a man who has a housekeeper and a valet, or personal servant, and slaves, in addition to numbers of horses, fillies and milch cows, can hardly be considered as living in a "hovel," in comparative destitution with his canines. It is true he had many dogs, for he was fond of hunting, and it is said that he freely distributed his game among his poorer neighbors and his slaves. The Giusippi Minghini, spoken of in the will, remained in this county, and has descendants by the same name now living here, one in Martinsburg. In 1814 an advertisement appears in the *Martinsburg Gazette* signed Joseph Minghini, offering for sale a quantity of personal property at "Sulphur Spring, on the Opeckon." This Giusippi Minghini came from Italy with Gen. Lee, as his valet, when he fled from that country after the duel with the officer whom he killed. As will be seen by the date, the will of Lee was made in 1782, probably in the spring, as he went to the East in the early part of the summer, visiting the seaboard cities. In Philadelphia at one of the public houses he was taken sick and died October 2 of the year last named, 1782. His dying words, true to the character of this gallant though misguided and over-ambitious soldier, were: "Stand by me, my brave grenadiers."

CHAPTER XII.

ESTABLISHMENT OF MARTINSBURG.

MARTINSBURG BEFORE 1772—THE ACT ESTABLISHING THE TOWN—MADE THE COUNTY SEAT—NAMING THE STRIPLING—THOMAS BRYAN MARTIN—GEN. ADAM STEPHEN—SKETCH OF THE CAREER OF THAT GALLANT AND SKILLFUL THOUGH UNFORTUNATE SOLDIER—A CANDIDATE AGAINST WASHINGTON—THEORIES—AN ELECTION IN 1789—AN ANCIENT POLL LIST—A CANDIDATE'S CARD—A BOOM IN MARTINSBURG—MR. BUTLER'S TAVERN—FINE LIQUORS—GEN. DANIEL MORGAN AND CONGRESSMAN RUTHERFORD—GENERAL VS. STATESMAN—RUTHERFORD'S LITTLE JOKE—BERKELEY IN THE REVOLUTION—GEN. WILLIAM DARKE—GEN. HORATIO GATES—"WITH BRADDOCK"—MORGAN MORGAN—FOUR NOTED MINISTERS—THE BEDINGERS—COL. CRAWFORD AND GEN. JESSUP—FELIX GRUNDY, NATHANIEL WILLIS AND JOHN R. COOK—SKETCH OF THE CAREER OF HON. CHARLES JAMES FAULKNER.

MARTINSBURG, the now beautiful and thriving little city, was laid out, or at least had considerable of a nucleus many years before the Revolution, and was at first called Martinstown or Martinsville. The proprietor, Adam Stephen, proposed naming it after himself, but as there was already a Stephensburg farther up the valley, that name had to be abandoned. He consequently named the town in honor of his friend, Col. Thomas Bryan Martin, one of the justices of the peace of Frederick County, and a relative of Lord Fairfax. Martin was a justice of the peace when the Revolution broke out, and was reappointed upon the new commission by Gov. Patrick Henry under the new regime, but he refused to serve, evidently thinking that a set of half-civilized and poorly armed inhabitants of a wild country would not give more than pastime to England's powerful armies and fleets, and it must, indeed, have appeared so to many. Col. Martin, however, must have been a man of prominence, for he ran for the House of Burgesses in 1758, at the same time that Washington, Thomas Swearingen and Hugh West ran, and, with the immortal George was elected, the vote being: Washington, 310; Martin, 240; Hugh West, 199; Swearingen, 45. The first two were elected.

At the creation of the county in 1772 the town possibly had twenty or thirty houses in it, most of which were situated along the

Tuscarora and about the "spring." Stephen had in operation a mill and there were two or three, at least, ordinaries, or taverns, and two stores, a blacksmith shop and a shoemaker. This was five or six years before the town was established by act of the General Assembly. Martinsburg, after Winchester and Shepherdstown, and possibly Charlestown was the most important settlement in the lower valley. It was on the great road from up the valley to the Warm Springs, now Berkeley Springs, a locality spoken of as early as 1760, or before. The Indians had used those springs long before the whites discovered them, and it is possible that even the ancient Mound Builders lavied their bodies in them.

During the height of the Revolutionary struggle Adam Stephen applied to the General Assembly of the commonwealth to have his town established by enactment, which was accordingly granted in October, 1778. Following is the act of assembly:

An act for establishing the town of Martinsburg, in the County of Berkeley, and for other purposes.

WHEREAS, It hath been represented to this present General Assembly, that Adam Stephen, Esq., hath lately laid off one hundred and thirty acres of land in the County of Berkeley, where the Court House of said county now stands, in lots and streets for a town, and hath made sale of several of the said lots to divers persons, some of whom have since settled and built thereon, and whereas it would tend to the more speedy improvement and settling the same if the freeholders and inhabitants thereof should be entitled to the like privileges enjoyed by the freeholders and inhabitants of other towns in this State:

Be it therefore enacted by this present General Assembly, That the said one hundred and thirty acres of land laid out in lots and streets, agreeable to a plan and survey, relation thereunto being had, may more fully appear, be, and the same is hereby vested in James McAllister, Anthony Noble, Joseph Mitchell, James Strode, Robert Carter Willis, William Patterson, and Philip Pendleton, gentlemen, trustees, and shall be established a town by the name of Martinsburg.

And be it further enacted, That the said trustees, or any four of them, shall proceed to sell such of the said lots as have not been already sold by the said Adam Stephen, at public auction, for the best price that can be had, the time and place of sale being previously advertised in the *Virginia Gazette*, the purchasers respectively to hold the said lots subject to the condition of building on each a dwelling-house at least twenty feet long and sixteen feet wide, with a brick or stone chimney, to be finished within two years from the day of sale; and the said trustees, or any four of them, shall, and they are hereby empowered to convey the said lots to the purchasers thereof in fee

simple, subject to the condition aforesaid, and pay the money arising from such sale to the said Adam Stephen, his executors, administrators, or assigns.

And be it further enacted, That the said trustees, or the major part of them, shall have power from time to time to settle and determine all disputes concerning the bounds of said lots, and to settle such rules and orders for the regular and orderly building of houses thereon as to them shall seem best and most convenient. And in case of the death, removal out of the country, or other legal disability of any of the said trustees, it shall and may be lawful for the freeholders of the said town to elect and choose so many other persons in the room of those dead, removed or disabled, as shall make the number; which trustees so chosen shall be to all intents and purposes individually vested with the same power and authority as any one in this act particularly mentioned.

And be it further enacted, That the purchasers of the lots in the said town, so soon as they shall have built upon and saved the same according to the condition of their respective deeds of conveyance, shall be entitled to and have and enjoy all the rights, privileges and immunities, which the freeholders and inhabitants of other towns in this State, not incorporated by charter, have, hold and enjoy.

And be it further enacted, That if the purchaser of any lot sold either by the said Adam Stephen, or the said trustees, shall fail to build thereon within the time before limited, the said trustees, or the major part of them, may thereupon enter into such lot, and may either sell the same again, and apply the money toward repairing the streets, or in any other way for the benefit of the said town, or they may appropriate the said lot, or part of it, to any public use for the benefit of the inhabitants of the said town.

And be it further enacted, That the said trustees shall cause the survey and plot of the said town to be recorded in the court of the said county of Berkeley.

And for preventing hogs going at large in the said town of Martinsburg, *be it enacted*, That if any swine belonging to the inhabitants of the said town shall be found running or going at large within the limits thereof, it shall and may be lawful for any person whatever to kill or destroy every such swine so running at large.

Provided always, That such person shall not convert any such swine to his or her use, but shall leave the same where it shall be so killed, and give immediate notice to the owner thereof, if known, if not, then such person shall immediately inform the next justice of the peace thereof, who may order the same to the use of any poor person he shall think fit.

Provided also, That nothing herein contained shall be deemed or taken to hinder any person or persons from driving any swine to or through the said town or limits thereof in order to sell the same, or in their removal from one plantation to another.

And be it further enacted, by the authority aforesaid, That the trustees for the said town, and their successors for the time being, shall, and they are hereby authorized and empowered by that name, to sue and implead either in the court of said county, or the general court, any person or persons who shall commit a trespass on the streets of the said town or lands which may have been appropriated for the use of the inhabitants thereof. All sums of money to be recovered by virtue hereof shall be applied by the said trustees toward repairing the streets of the said town.

The reason why Adam Stephen, who was and had been a soldier nearly all his life, chose such turbulent times for the establishment of his town instead of being at the front with his compatriots, will appear further along.

When quite a young man Adam Stephen came to the portion of Frederick County now known as Berkeley, but where he came from is not now known. It is altogether probable that he came in with the Scotch-Irish emigrants from the Cumberland Valley, as the name of Stephen and Stephens, two entirely different families, appear at a very early date. Those having the letter s as the terminal letter of their name all went above Winchester, whilst those without the s remained nearer the Potomac, or Cohongorooton, as it was originally called, and until Lord Fairfax made his immense steal. In early life Adam was frequently engaged in Indian fighting, and was with the provincials under Washington at Great Meadows, Fort Necessity and at Braddock's defeat. He continued in the Colonial service until 1768, when he returned to his estate in Berkeley County, but not then called Berkeley. He had rendered great service in keeping back many Indian incursions and in punishing the savages. He was a major as early as 1754, and at the termination of hostilities against the French and Indians he was a major-general of the colony.

In 1761 Gen. Stephen was a candidate for the House of Burgesses, the poll-list of which election, as has heretofore been stated, the writer has had in his possession. At this election, which occurred on May 18, 1761, the candidates were three, two only being elected. G. Washington was one, and received 505 votes; George Mercer, a colonial captain and one of the leading justices of Frederick County, was another, and received 394 votes; Maj. Adam Stephen was the other, and received 294 votes, being defeated. What the politics of the time was in Frederick County is unknown, but there were doubtless differences of opinion. It was too early for the colonists to differ

much in regard to England's treatment of her Western subjects. Whether or not this defeat of Stephen had anything to do afterward with his relations to Washington is impossible to divine now, but human nature is about the same in all ages, and politicians had their schemes and wires to work as well in the days of 1761 as in 1861.

Turning his attention to civil affairs he inaugurated the movement for the creation of a new county out of the lower third of Frederick, which was accomplished as has been shown, he being one of the justices named in the first commission of the peace, and the first sheriff. At the breaking out of the Revolutionary war he was commissioned colonel of one of the Virginia regiments. In 1776 he was transferred to the Continental line and received the appointment of brigadier-general from Congress, and in February, 1777, he was promoted to the rank of major-general. He did service everywhere. He was at Trenton, Princeton and Brandywine, gaining praise from his commander-in-chief, but at Germantown Washington was defeated, and Gen. Stephen, who was in command of a division, was charged with being intoxicated, whereupon he was court-martialed and dismissed from the army. It seems to have been a summary affair, and although the charge may have been entirely true, yet there is no evidence that his conduct contributed in the slightest degree to the defeat of the forces engaged. Not a single writer upon the subject has ever intimated that the intoxication of Gen. Stephen was anything more than a breach of army regulations. The sentence at this late day is looked upon as having been extremely harsh, in consideration of the well known soldierly qualities of the unfortunate general, and the services he had rendered. Although there seems to be no evidence that anything besides "being drunk" was the actuating cause of his discharge, yet it is possible there may have been something else in connection with the affair. It is hardly possible to think of Washington as other than a just man. He certainly was a patriot who would dislike to lose the services of a good officer, and he had known Gen. Stephen for nearly twenty-five years. It is more just to the Father of his Country, more in accordance with the character of that great man, to suppose that he may have hidden something in the conduct of Gen. Stephen at the battle of Germantown and covered it up by a simple dismissal on the charge of drunkenness, than to suppose that Washington sought a pretext for the displacement of his subordinate for the purpose of advancing a friend.

That was not in consonance with the character of the immortal patriot of the Revolution. That Stephen himself thought the sentence just, or at least not extraordinarily harsh, is borne out by the fact that he neither made an appeal, nor spoke of it in any other way than as a matter of course.

In 1788 Gen. Stephen and Gen. Darke, who also resided in Berkeley County, were elected to the convention called to take action upon the Federal constitution, and to his honor be it said, he voted for it, having warmly advocated its adoption before and during the convention. He died in Martinsburg in 1791 and lies buried under an apparently unfinished monument on the Faulkner place in the southern portion of the town.

The following poll-list, copied from an old paper published in Berkeley County many years ago, may, and in all probability does, refer to the election spoken of above, as Gen. Darke is one of the candidates running at the time, 1788-89. This election occurred, of course, before Jefferson and Morgan were created out of Berkeley, and the vote, therefore, shows the whole number cast from the three counties, all of whom had to come to Martinsburg to exercise their right of suffrage. All persons, however, did not then vote, only "freeholders," which accounts for the small number of voters. One of the wards of Martinsburg now casts as many votes as the entire three counties one hundred years ago. The list is published as a matter of interest to the descendants of, doubtless, many whose names appear below. Many of those named were descended from the first settlers of this portion of the Valley, men who left their mark, and almost a majority of them will be recognized as having descendants in this county and in Jefferson and Morgan, as well, at the present time. A number of them became men of note, being exalted to the highest stations within the gift of their fellow citizens, and not a few of them to-day stand in the front ranks for intelligence and ability in the various walks of life. There was no heading of any kind to the poll-list, which numbers 239 names:

G. Swift,	Jno. Briscoe,	J. Darnhaver.
J. Wilson,	D. Hunter,	H. Yager,
J. Morrow,	W. Cherry,	J. Jackson,
J. Kearsley,	Jas. Maxwell,	J. Dominie,
C. Morrow,	Magnus Tate,	Jno. Mathews,
Thos. Robinson,	Rich. Willis,	Henry Lieveny,
Dan'l Bedinger,	J. Bridgeham,	Jos. Mitchel,
Wm. Little,	H. Frank,	M. Riser,

Rich'd Morgan,
 Adam Bishop,
 Thos. Thornburg,
 John Derry,
 P. Wilsbimer,
 G. Shome,
 Abr. Morgan,
 M. Haskinson,
 Thos. Swearingen,
 Wm. Morgan,
 Jacob Isler,
 Jno. Daniels,
 M. Hout,
 Jno. Barns,
 Robt. Lowry,
 S. Hyatt,
 M. Entler,
 N. McIntyre,
 H. Sheets,
 J. Sharkle,
 Dan. Vanmetre,
 Robt. Snodgrass,
 Thos. Phillips,
 Geo. Tabler,
 S. Harlen,
 Wm. Maxwell,
 J. Hendricks,
 J. Bull,
 Cato Moore,
 Jno. McLane,
 K. Stubbs,
 Jno. Tilden,
 H. Bedinger,
 Wm. Henshaw,
 Ed. Beeson,
 J. Graham,
 Jos. McCoy,
 Sam'l Harrison,
 Aaron Hedges,
 Abra. Shepperd,
 Ed. Tabb,
 M. McKown,
 Jas. Strode,
 David Gray,
 P. Martin,
 Jos. Foreman,
 D. Vulgamott,
 H. Bowers,
 Basil Lucas,
 John Gray,
 David Lewis,
 Jno. Eaton,

E. Gaither,
 Jas. McCallister,
 P. Daugherty,
 Jas. Cowan,
 W. Merrit,
 Jno. Smith,
 Wm. Douglas,
 Jno. Brand,
 J. Angel,
 M. Fouke,
 J. Chapline,
 George Ropp,
 M. Eckhart,
 N. Pucktol,
 Wm. Hall,
 P. Fisher,
 Robt. Wilson,
 N. Strayer,
 N. Young,
 J. Vanmetre,
 J. Fink,
 W. Spalding,
 H. Fisher,
 Jno. Hanes,
 H. Nase,
 C. Cookers,
 Jno. Miller,
 J. Staley,
 Jno. Line,
 F. Polk,
 Jno. Fryatt,
 Thos. Crow,
 T. Laferty,
 Thos. Johnson,
 Jacob Miller,
 H. Boyle,
 Jacob Coons,
 Jacob Pulse,
 P. Burr,
 C. Myers,
 A. Rodgers,
 J. Painter,
 G. Custard,
 P. Sinn,
 J. Renock,
 G. Smallwood,
 M. Houseman,
 Jos. Hedges,
 Jos. Grantham,
 H. Black,
 Dan'l Cameron,
 Peter Light,

Geo. Cunningham,
 Jno. Baker,
 Wm. Lucas,
 James Glenn,
 R. Cockburn,
 Raleigh Morgan,
 Jos. Swearingen,
 J. Banks,
 Math. Porterfield,
 David Horn,
 Isaac Evans,
 W. McConnel,
 Jno. Turner,
 David Bell,
 Thos. Hart,
 A. Nichols,
 W. Kerr,
 Geo. Horn,
 Jas. Buckles,
 T. Osborn,
 Wm. Blue,
 M. Bryarley,
 J. Tramway,
 D. Davis,
 Jno. Fishel,
 Chris. Chase,
 L. Lee,
 C. Claycomb,
 L. Hansil,
 Sam'l Wilson,
 H. Ross,
 Jno. Clawson,
 P. Coons,
 C. Hollinger,
 Jas. Bird,
 G. S. Coffinberry,
 Ed. Lucas,
 Jonas Hedge,
 A. Goosman,
 Jas. Kerr,
 Jno. Moore,
 P. Poisal,
 Z. Morgan,
 Robt. Lucas,
 A. Burnett,
 Jeptha Martin,
 E. Mercer,
 Jno. Hess,
 R. Dunn,
 Geo. Mykle,
 G. Ox,
 Van Swearingen,

D. Collette,
A. Mallette,
G. Tilly,
Jas. Robinson,
J. Meloin,
W. Gorrell,

J. Brown,
G. Reynolds,
J. Hart,
J. Shierly,
Thos. White,
W. Hannah,

T. Jewell,
R. Crayton,
H. Vance,
J. Aikman,
Geo. Tabb.

Berkeley County, Sct.

I do hereby certify that Henry Bedinger, made oath on the Holy Evangely of Almighty God, that the above is a true statement of the poll and impartially taken.

Given under my hand this 7th day of January, 1789.

JOHN KEARSLEY, J. P.

The J. Kearsley, justice of the peace, before whom Henry Bedinger, one of the judges of the election, made affidavit to the correctness of the poll, was afterward postmaster of Martinsburg, and in 1802 ran for Congress in the district that included Berkeley County. In this connection the evidence is furnished to show that the ways of the politician were as tortuous nearly one hundred years ago as at the present highly improved epoch, for Mr. Kearsley published the following card in a Martinsburg paper, the only one in the district, by the way, of June 8, 1802:

To the Freeholders of Berkeley, Jefferson and Hampshire Counties.

GENTLEMEN:—A report has been put in circulation that I have declined from the offer I made of my services on the 22d of March last to represent this district in the Congress of the United States. As I am now made acquainted with the design, it may be necessary for me to observe, that this report has no foundation in fact; nor do I propose to decline (unless the delicate state of my health should impel the measure) until the will of a majority of the people in the district is known by the event of an election.

JOHN KEARSLEY.

Shepherdstown, May 8, 1802.

After the Revolutionary war, when victory and peace had blessed the happy citizens of the united colonies, prosperity came as naturally as the plant after sunshine and shower. Many of the heroes of the struggle made their way back to their homes and began business, whilst many were left upon the battle-field to enrich by their noble deaths the generations to come. Fortunately the ravages of war had not reached the valley, as it did nearly one hundred years later; and there was not from this cause any rebuilding of destroyed homes. Building took a start in Martinsburg and a number of stores and

taverns, the facts in regard to which have been gleaned from a file of Winchester newspapers printed in 1786-88. In November, 1787, Joseph Butler, from the Warm Springs (Berkeley Springs), begged "leave to inform his friends and the public generally" that he had "taken the noted tavern called the *General Washington*, in Martinsburg, lately occupied by Mr. Rogers, where gentlemen travelers may be sure of meeting every accommodation." He also had on hand the "greatest assortment of all foreign and home-made liquors; his French, Italian and Spanish wines, and his Jamaica and New England rums" were the best, and all "gentlemen with fine tastes should patronize his stock," as Mr. Butler felt sure that he could please the most fastidious tastes. N. B.—He had good stabling, etc.

Those old worthies back there, one hundred years ago, knew good liquor when they tasted it, and they would have had little patience with the decoctions palmed off to-day as "imported." When they got drunk they did it on respectable stuff, and not tangle-foot, grape-vine, or forty-rod. Everybody drank at that primitive day, clergymen as well as common folk, and the flagrant offense of poor old Gen. Stephen would not have been much out of place in a parlor. It was not for getting *drunk* that he was dismissed from the army, but in consequence of the circumstances and time. The great and good G. W., as has been shown, electioneered with whisky.

There was considerable activity in real estate for many years succeeding the war, and large bodies of land were thrown on the market. Among those who advertised to sell was Robert Rutherford, whose notice of sale appears in an Alexandria paper of July 6, 1786. He and Charles Yates offered for sale 1,000 acres in Berkeley County. Yates is the gentleman from whom the famous "Yates' Garden," in Alexandria, took its name, and Robert Rutherford was the son of Thomas Rutherford, the first sheriff, appointed in 1743, who ever held office west of the Blue Ridge, being commissioned by the governor at the date named as high sheriff for Frederick County. Rutherford was elected to Congress several times. In 1797 he ran against Gen. Daniel Morgan and defeated him, but in 1799 Morgan defeated Rutherford. In connection with these two competitors there are two anecdotes worth preserving: Gen. Morgan went to a prominent gentleman whom he knew to be a warm friend of his, and asked him to not only vote for him, but to use his influence for him and against Mr. Rutherford. The gentleman took the old war-scarred hero by the hand, and looking

into those eyes that never quailed before an enemy, said with much feeling: "General Morgan, you know me, and know that I never have and never will, deceive any man. Should a war break out and were I to have the selection of a commander-in-chief, there is no man in this wide world to whom I would give the place in preference to yourself; but, sir, when I am to select a member of Congress, then I must vote for Mr. Rutherford."

Rutherford was a plain, unassuming man, who dressed in the simplest garb, and very few would suspect the intelligence and ability that lurked beneath his homely clothing, whilst his integrity and kindness of heart were known to all. During one of the sessions of Congress, he was invited to dine with a prominent gentleman of Philadelphia, and at the appointed time repaired to the house of his friend and inquired whether he was in, not mentioning his own name, however. The lady of the house did not invite him in, thinking he was some poor wanderer in search of alms from her husband, so the old gentleman took a seat on the door steps. In a little while the lady came to him and told him to come into the kitchen, and that if he would cut a little wood and bring some water she would give him his dinner. Mr. Rutherford, who had a keen sense of the ridiculous, complied with the lady's request, after which she told him to take a seat on a box near the fire. In the meantime the gentleman of the house arrived and, his wife meeting him in the parlor, they conferred together as to why their guest had not arrived. The wife said that no one had called with the exception of a poor old fellow who was out in the kitchen waiting for his dinner. The host and hostess sauntering in the direction of where the sly old member of Congress was comfortably seated, soon made the discovery, much to their chagrin, but to the intense amusement of Rutherford.

The Lower Shenandoah Valley is noted for the number of men who became prominent in the struggle of the colonies for independence. Two other generals, in addition to Gens. Stephen and Lee, resided in Berkeley County, besides a number of other officers, colonels, majors, captains and lieutenants, whom history has placed upon its pages and whose names will go down the ages with honor to the Valley of Virginia.

Gen. William Darke, from whom the village of Darkesville took its name, and in whose honor Darke County, Ohio, was christened, was born in Pennsylvania about 1736, and with his parents came to

Virginia at the age of six years. They settled not far from Shepherdstown, at that time called New Mecklenburg, and by which title it was known for over half a century. It is asserted that young Darke was with Braddock, being then only nineteen years of age, and it is probable that he was—in fact, it could not have been otherwise—for everybody else, who lived west of the Blue Ridge whose name has come down to the present day, and who was not actually an infant at that time, was “with Braddock.” Being “with Braddock” is very much like “Braddock’s road.” There is not a square mile of land from Mason and Dixon’s line southward for a hundred miles that has not a portion of “Braddock’s road” upon it. If all the men were with Braddock that is now claimed for them, they ought to have swept the entire French and Indian forces clear across the Mississippi. At the breaking out of the Revolution Darke entered the service as a captain and was taken prisoner at Germantown. Upon his release he returned to his home in Berkeley, in 1780, but in the following spring he assisted in recruiting a regiment in Berkeley and Frederick, and was given the command of the regiment. After the cessation of hostilities he returned to his fields in Berkeley, and in 1788 was elected as a representative from Berkeley to the convention held for the purpose of ratifying the Federal Constitution. He afterward represented his county in the General Assembly of the Commonwealth. At the breaking out of the Indian war in 1791 Col. Darke offered his services and was placed in command of the Second Virginia Regiment. He was with Gen. Arthur St. Clair in his memorable campaign. He did splendid service in that series of disastrous events, ending in much loss and suffering to the brave soldiers, the victims of a stupendous “folly.” Col. Darke was afterward promoted to the rank of brigadier-general. He ran for Congress but was defeated, in conjunction with the gallant Gen. James Wood, by that most brilliant lawyer and gentleman, Hon. Alexander White. Darke died November 20, 1801.

Another Revolutionary worthy, who was a citizen of Berkeley County, was Gen. Horatio Gates. He also was “with Braddock,” for it is claimed that he was an Englishman, an officer in one of the two regiments of regulars sent over by His Majesty George the King, and was, consequently, with the unfortunate general who not only was defeated, but lost his life, in the wilds of Pennsylvania in 1755. Gates was seriously wounded in the same engagement and resigned his commission. Being a man of wealth he purchased an estate in Berkeley

County and became an American. His name occurs frequently in the old records of the county, and in 1773 was appointed a justice of the peace. In 1775 he espoused the cause of the patriots, and was honored by the American Congress by being appointed adjutant-general with the rank of brigadier-general. He was, undoubtedly, a skillful and gallant soldier, and as long as he kept his inordinate ambition under subjection he seemed to be successful. At Saratoga his operations resulted in one of the most decisive victories of the war, the capture of Burgoyne and his army. But, like Gen. Charles Lee, he desired to be at the head of the army, and did not hesitate to plot against the commander-in-chief to accomplish his ends. This brought him into trouble and he was relieved of command, being superseded by Gen. Greene. Gates was re-instated to his rank in 1782, after hostilities had ceased. Peace being declared he retired to his plantation, where he continued to reside till 1790, when he removed to New York City, and was elected in 1800 to a seat in the Legislature of New York. Several years before his death he manumitted all his slaves and made provision for their maintenance. He died April 10, 1806.

One of the very first settlers of the lower valley was Morgan Morgan, or as he signed his name, to be seen in hundreds of instances in the Frederick County records running from 1743 onward for many years, "Morgan ap"—the *ap* invariably having a line running through it, and being placed just above the *an* in the name—and meaning "Morgan son of Morgan." He was a Welshman, and a man of considerable wealth when he came here, which he very materially increased by large grants of land from Gov. Gooch. Bishop Meade and Hawks, the historian, give Morgan great credit for extreme piety, evidenced, as they surmise, by his building, in conjunction with Dr. John Briscoe and a Mr. Hite, a log chapel, claimed to be the first church edifice in the valley. The historian named sets the building of this chapel at 1726, but as the earliest claims set up for Morgan's arrival here is 1732, which is probably correct, it is difficult to reconcile the two facts. Besides, the Presbyterians had a little church not far from Martinsburg; there was a Calvinist Church above Winchester; a Lutheran, or Reformed, house of worship at the settlement of the German mechanics at Mecklenburg; all of which have claims to being the "first church." Morgan Morgan, however, was undoubtedly one of the leading spirits, if not the most prominent man in all this lower

valley, for he is the first person named in the first commission of justices of the peace of Frederick, and to whom the dedimus for administering the oaths to his brother justices was addressed. He died in the year 1766, at the age of seventy-eight years, after an extremely useful and adventurous life. His son, Morgan Morgan, Jr., was one of the justices named in the commission issued by Lord Dunmore in 1773. He was educated as a clergyman in the Episcopal Church, and preached in the chapel erected by his father for many years, but when the Revolution broke out he entered the Continental army and served gallantly throughout the war.

In addition to those named Berkeley County was the birthplace or home of many distinguished men in various walks of life. Alexander Wilson, the famous naturalist, ornithology being his special study, was born in Scotland, and was a weaver by trade. He came to the United States in 1794, and for a time lived in this county, conducting his trade, but not meeting with much success removed to Philadelphia, where he died in 1813. He is said to have commenced the first volume of his celebrated treatise on his favorite subject whilst living in this section. Raleigh Colston, who figured as one of the purchasers of the Fairfax estate, owned a fine plantation in Berkeley County near the Potomac. Colston, in conjunction with his brother-in-law, Chief Justice Marshall and Gen. Henry Lee purchased the manor of Leeds, comprising 150,000 acres of land lying in Culpeper, Fauquier and Frederick Counties; the South Branch manor, Patterson's Creek manor and other large tracts of land from the legatees in England, but came near losing their valuable purchase, as Fairfax was an alien when he died, and the property just escaped confiscation by the stipulations of the treaty with England. For many years persons paid to the heirs of these purchasers "quit-rents," an outrageous exaction, as the General Assembly of Virginia in 1785 passed a law specially and forever abolishing the collection of quit-rents on this property. Mr. Colston was a man who took great interest in all religious movements, and his name appears in the *Martinsburg Gazette* in 1814 in connection with a bible society being organized at that time. He died in 1823.

Four ministers of the Gospel, who became exceedingly prominent not only in Virginia but throughout the country, were either born in Berkeley County or had their residence here for many years.

Rev. Moses Hoge, D. D., a Presbyterian divine of much eminence, who was made president of Hampton Sidney College in 1807, resided



GEN. JOHN SMITH, OF HACKWOOD.

FROM A COPPER-PLATE PRINT.

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in this county for about thirteen years. He was a son of George Hoge, one of the first justices of Frederick County, and was born not far from the little village of Kernstown in Frederick County, a locality made famous by Stonewall Jackson in his battle with Gen. Shields, and afterward noted as the point where the gallant Col. Mulligan of Illinois was killed. The Hoge family contributed the funds to build the church known as the "Opequon Church," three miles from Winchester, in the graveyard attached to which is a tombstone bearing date 1742.

Rev. William Hill, D. D., born in 1769, in Virginia, after his admission to the ministry, settled in Berkeley County, but after several years residence here took charge in 1800 of the Presbyterian Church in Winchester, where he continued to reside the balance of his life, and where he died in 1852. Dr. Hill was one of the most prominent ministers of his denomination in his day, and was one of the leaders in the "new school" movement and other questions that came up at different times in his church. He was a great personal friend of Gen. Daniel Morgan, who became a member of Dr. Hill's church shortly before the death of the old Revolutionary hero. Many of the published reminiscences of Gen. Morgan are due to conversations held with the General by Dr. Hill, and the one wherein Morgan acknowledged that he *had* fear—not of man, but of God—is authentic.

Rev. Bernard C. Wolfe, was born in Martinsburg, in 1795, and learned the trade of a saddle and harness-maker with John Helferstay, who conducted that business in the thriving little village named from 1810 for many years afterward, as his advertisement shows in the old *Gazette*. Rev. Wolfe was a son of George Wolfe, a most respectable gentleman, who was appointed a magistrate in 1810, at the same time that Joel Ward, who was for many years a member of the house of delegates of the commonwealth, was appointed. Michael Rooney, who had the reputation of having been a "Sea Rover," before settling in Berkeley, also was appointed, and a year or two afterward Maj. James Faulkner sat with Mr. Wolfe. The young saddler, however, left his shop and studied for the ministry under the auspices of the German Reformed Church. After his admission to the ministry he was stationed in Easton, Penn., and from there he was called to Baltimore, from which city he was summoned as a professor in Mercersburg College, but ill health necessitated a resignation. He then settled in Lancaster, Penn., where he died in 1870.

Rev. A. H. H. Boyd, D. D., was born in 1814, in Martinsburg, and was the son of Gen. Elisha Boyd. His first inclinations were to the profession of medicine, but he gave that up and entered heartily into a preparation for the ministry. He began his ministry in 1835 at Winchester, but was called to the charges of Middleburg and Leesburg, Loudoun County, Va., in 1838, from whence he visited many churches in search of a location to his liking, but preferring Winchester to any other place he settled there, where he remained for twenty-three years, till his death, in 1865. He was a pronounced Southern man during the war, and was arrested and held as a hostage for some time, the exposure from which is said to have caused his death.

Among other prominent residents of Berkeley may be mentioned Dr. Richard McSherry, a son of Richard McSherry, who brought young James Faulkner from Ireland when the lad was but ten years old, he being left an orphan in County Armagh. Richard McSherry was a man of great business qualifications, whilst the son, Dr. McSherry, was a physician and surgeon who had few superiors, if any, at the time he practiced here. He was born in 1792, and graduated at the University of Pennsylvania in 1816.

The name of Bedinger is one of the oldest in the valley and it occurs frequently in the old Frederick County records. Daniel Bedinger who was a young man when the Revolution broke out, joined the company that camped at Morgan's Spring, in the fall of 1775, or at least one of the companies, for there were two, one being under the command of Capt. Daniel Morgan, and the other of Capt. Hugh Stephenson. These companies were not there (at the spring) at the same time however. At any rate young Bedinger went to the front with one of these great captains and was taken prisoner at Brandywine, in 1777. After his release he promptly rejoined his command and was made an ensign. At the close of hostilities he held the position for many years of agent at Gosport Navy Yard, and died in 1818. Abraham Shepherd, son of Thomas Shepherd, the founder of Shepherdstown, which was established on the site of Mecklenburg, was another Revolutionary soldier. He, also, was a member of Capt. Hugh Stephenson's company and a gallant soldier. He was retired from the service with the rank of captain, and died in 1822.

Magnus Tate, born in 1755-60, was a man whose after life made up in a great measure for his youthful follies. He appears in the Frederick County records quite early as a fighter, and one of the first

references to him is in consequence of a fight he had with some other young tough. One of the items in the proceedings as recorded in the justices' order book recites that Magnus Tate appeared before the magistrates and lodged complaint against a party for biting off his ear. Two witnesses testify to the fact, the "biter" is held for trial, and the ear retained as proof of the charge, whereupon the facetious old clerk enters on the margin of the record, his "reference side note," these words, "Magnus Tate's ear placed on record," and it is so indexed. He afterward became sheriff of Berkeley County, one of its most respected magistrates, and was elected to Congress in 1815. Like Gen. Daniel Morgan, who was a hard-hitter in his youthful days—a regular tough—Magnus Tate proved that a man need not necessarily continue to sow his wild oats till he died. He lived, highly respected, although having but one ear and a portion of another, till 1823.

Col. William Crawford, who was so barbarously tortured and murdered by Indians in 1782 on the Muskingum in that portion of Virginia now comprised in the State of Ohio, was born in Berkeley County. Lewis Wetzell, as well as Adam Poe, the great Indian fighters, are both thought to have been born in this section of the valley. Both of these names, Wetzell and Poe, are among the early names of citizens upon the early records in Frederick. Hon. Felix Grundy first saw the light on Back Creek in this county. This gentleman, one of the most eminent of American statesmen, was elected as a member of Congress from Tennessee, having previously been judge of the supreme court of Kentucky. He was United States senator from Tennessee and attorney-general of the United States under Van Buren. In 1840 he was again elected United States senator, but died in December, 1840. John R. Cooke, the father of John Esten Cooke, the truest writer of the Sunny South since the Civil war, lived here before he moved to Winchester. Nathaniel Willis, the father of the eminent poet and journalist, N. P. Willis, also lived in Martinsburg where he commenced the publication of a newspaper early in the century. Mr. Willis had been connected with one of the newspapers established in Winchester in 1787, and got into quite an animated discussion with another editor and some outside party, which looked serious for awhile, but it was, probably, settled "amicably." Gore is very rarely needed in such cases.

Gen. Thomas S. Jessup was born in Berkeley County in 1788 and was commissioned second lieutenant when twenty years of age.

He rapidly rose through the grades of first lieutenant and captain, and successively through the rank of major and colonel till in 1828, for ten years' meritorious service, he was made a full major-general. Gen. Jessup was one of the most brilliant officers his country has ever honored, and he lived to a good old age, dying just on the eve of the great struggle that might have embittered his life for his few remaining years, had he survived to see his countrymen arrayed in battle one against the other. He died in June, 1860. Maj. Henry Bedinger was another of that name who fought on the side of freedom in the Revolution. He was born in October, 1753, in York, Penn. In 1798 he was made clerk of the county court, but a contest resulted between himself and Col. David Hunter, which was finally settled by the courts in favor of Col. Hunter. Maj. Bedinger's name appears in the list of voters, printed in this chapter, at an election in 1789. After the contest he retired to his country seat and for many years thereafter his tall form and white beard were frequently seen on the streets of Martinsburg. The old gentleman, although nearly ninety years old at his death, preserved his faculties in a remarkable degree. He died in the month of May, 1843.

Hon. Charles James Faulkner was the son of Maj. James Faulkner, who was brought from Ireland about 1786, when he (James) was ten years of age. Maj. Faulkner was a man of stirring business qualities and with a decided predisposition to a military life. He was a merchant in Martinsburg in 1810, and the records show that he was appointed a magistrate in 1813, continuing in that position till his death in 1817, as will be seen in a following chapter on the early organization and government of the town by the trustees from 1813 onward. The son, Charles James, when his father died must have been about thirteen years of age, as he was admitted to practice in the superior court of chancery of Frederick County in 1825, and was possibly twenty-one years of age at the time. He imbibed from his active father qualities that made his life a success, made him a leader in his party, and when that party, the Federalist-Whig organization, lost its usefulness, Mr. Faulkner was found on the side of the Democracy, where he remained till his death. He was elected to the General Assembly of Virginia in 1832, and about this time was appointed one of three commissioners on the part of Virginia to settle, in conjunction with commissioners of Maryland, the disputed boundary line between the two States. He made his report in November, 1832, and it had

the effect of substantially settling that matter. In 1841 Mr. Faulkner was elected to the State Senate of Virginia, but resigned in a year's time. In 1848 he again was elected to the General Assembly. He was a member of what is known as the Reform Convention of 1850. He was elected to Congress in 1851, and from about which time, that is, during 1852, when the candidates for president were Scott and Pierce, he changed his political affiliations, coming out squarely for Pierce and the Democracy. One of Mr. Faulkner's most noteworthy acts was his canvass of Virginia in conjunction with Henry A. Wise, against Know-Nothingism, when the death knell of that party of intollerance was sounded. After the elevation of James Buchanan to the Presidency, Mr. Faulkner was offered the mission to France, but as a distinguished Virginian, Mr. Mason, was holding that position he declined. In 1859, however, Mr. Mason dying, Mr. Faulkner was offered the place once more, which he accepted. Being relieved in 1861 by the appointment of W. L. Dayton as minister to France, Mr. Faulkner returned to the United States and was arrested, but released after a confinement of some months. He was then invited by Stonewall Jackson to be chief of his staff, which he accepted promptly, and was with that distinguished general till his sad death. After the war he took an active part in the interest of the new State of West Virginia and was a member of the Constitutional convention of 1872. Mr. Faulkner married a daughter of Gen. Elisha Boyd, and had several children, two of whom, E. Boyd and Charles James, Jr., are prominent members of the Martinsburg bar, the latter being United States senator from West Virginia. The distinguished gentleman died November 1, 1884, and was followed to his last resting place by the largest funeral procession ever witnessed here.

CHAPTER XIII.

PRIMITIVE TOWN AND COUNTY.

THE NEWSPAPER AS A "MIRROR"—ITS GREAT VALUE TO HISTORY—SOME INTERESTING EXTRACTS FROM JOURNALS OF 1787, 1803, 1812-14 AND 1825 TO 1835—A WILY PRISONER—TIMELY ADVERTISEMENTS—SHOPPING IN 1811—FINE STORES—P. NADENBOUSCH & CO., DANIEL BURKHARDT, JAMES FAULKNER, THOMAS SMITH & CO., MERCHANTS—PATENT MEDICINES—A QUAKER GOLDSMITH AND JEWELER—LOTS OF SHOEMAKERS—SOME NOTED TAVERNS—WAR OF 1812-14—DEPRESSION IN VALUES—THE MARTINSBURG ACADEMY—JAMES FAULKNER, MERCHANT, MAGISTRATE AND ARTILLERIST—GIBBS' FACTORY—GUSEMAN NAIL FOUNDRY—WOOLEN AND FLOUR MILLS—HORSE RACING—THEATRICALS—FOURTH OF JULY CELEBRATION—A WHITE NEGRO—KROESEN'S TAVERN—LIBRARY SOCIETY—TERRIBLE STORM—ANOTHER CELEBRATION AND THREE FINE TOASTS—PRICES CURRENT—DISASTROUS FIRES—CANAL TO MARTINSBURG—A TEMPERANCE SOCIETY—A CYCLONE—COAL DISCOVERED—FALLING "STARS"—FIRST SCHEDULE OF BALTIMORE & OHIO RAILROAD.

THERE is no source whence information in regard to current events, which is genuine history, can better be derived than from the newspaper. The newspaper is the "mirror of its time"—it records the happenings just as they are; it reflects, as a general rule, the sentiments of the community wherein it is published. It is molded by the opinions, the desires, and the passions of its patrons and readers, and does not shape, as is popularly supposed, the public mind, being itself the shaped, and not the shaper. The reverse of this state of affairs exists only in extremely rare cases. It is only possible under exceptional and peculiar circumstances, where more than ordinary strength of character, combined with the highest standing and acknowledged ability, is associated with the capacity of wielding a fluent and trenchant pen. These qualities, for reasons that are apparent, seldom concentrate in one who is disposed to venture upon the treacherous and uncertain sea of journalism. This may be considered rank heresy, but it is the truth, as all newspaper men know. Yet there is no class of workers who are so poorly paid, who receive less thanks, or who are so worried and imposed upon, as the country editor, especially. He performs his labors honestly, delves

early and late, and dishes up his weekly modicum, happen what may. And these are just the reasons why an old newspaper is so valuable. In its age-browned columns one finds the names and businesses of many persons long since forgotten. Transactions are recorded in the usual every day style that have changed the destinies of nations. Great actors on the world's stage are strutting their brief hour, and now where are they?

The following incident, published in the *Winchester Centinel* of September 20, 1788, in relation to a transaction that occurred in Martinsburg 102 years ago, is interesting as showing either the credulity of our early justices or the shrewdness of the prisoner, or both:

John Groves found a young man named James Johnson with his great coat on. He was arraigned before Esquire Godwin Swift. The young man had a mare and saddle. He said he would go to Loudoun, where he lived, and get proof of his innocence. He left his horse and saddle but did not return, and John Randall, constable, advertises for the owner of the horse.

Of course the coat belonged to Groves and not to Johnson, as the involute language would imply. The justice before whom the prisoner was examined was one of a commission appointed by Lord Dunmore in 1772 and re-appointed by Gov. Patrick Henry in 1776.

From a newspaper published in Martinsburg in 1802, a copy of which is before the writer, a number of extracts will be made. This paper is *The Berkeley and Jefferson Intelligencer and Northern-Neck Advertiser*, No. 12, of Vol. 4, dated June 18, 1802, and is published by John Alburtis, at the price of "two dollars a year—one-half payable at the time of subscribing." Advertisements were inserted for "three-fourths of a dollar per square for three weeks to subscribers; to non-subscribers the common price of one dollar,"—a discrimination the writer has never elsewhere met with. From the date and number of this issue the paper must have been started in March, 1798.

In the *Advertiser* Christian Hartman advertises that he lost a new red morocco pocket-book containing \$30, and offers a reward of \$8 to the finder. Jeremiah Thompson, in a card, states that some time before he had received \$14 from Henry Baugh, of Hampshire, but that nine of the dollars turned out to be counterfeit, and that upon returning them to Baugh and getting good money for them the latter said that he was going to pass them off on somebody. Thompson

warns the public to look out for them. Joel Ward, one of the justices, afterward a prominent member of the General Assembly of Virginia, explains in a card the cause of a levy of \$1 being laid on all tithables, the reason being the cutting off of more than half the population by the creation of Jefferson County just previously, whilst the expenses were the same. Adam Sheetz offers for sale a two-story log house and two lots situated on Martin Street in Martinsburg. Walter B. Selby advertises "elegant goods" of all kinds in Shepherdstown, and John Kennedy does the same thing in regard to his stock in Charles-Town. Joseph Oldfield states in a card that his wife Mary, having left his bed and board, that the public are warned not to harbor her, as he will not pay any of her debts. Another man named Benjamin Ellis advertises that he will pay \$5 to anyone returning his lost pocket-book, and G. W. Humphreys, at Keepryste Furnace, wants an owner for a horse that strayed to his premises.

As the ladies and others required places in which to "shop," as well in those early times as at present, there were some fine stores in Martinsburg: Mr. William Riddle, who was also a magistrate, states that he has "just received a handsome assortment of well chosen spring goods, groceries, etc.;" and Mr. Rees Branson, a Quaker gold and silver-smith, "respectfully informs the public that he has employed an assistant and is now ready to furnish gold finger and ear rings, watch chains, seals and keys, scissars, broaches, sleeve-buttons, etc.;" also that he makes clocks and watches.

Thomas Smith & Co. advertise as having "just received from Philadelphia a fresh supply of merchandise, consisting of Irish linens, dowlas, Russia sheeting, German rolls, blue, striped, clouded and plane India nankeens, Imperial hyson, skin hyson and Bohea teas, coffee, sugar, crowley and blistered steel, etc." But the big store of that date in Martinsburg was, possibly, that of P. Nadenbousch & Co., who offered a large assortment of "prime goods" similar to those just named, but with the addition of French brandy, wine and spirits, molasses, fish oil, and Spanish Indigo;" also, "harness, soal and upper leather, iron, salt, etc."

James S. Lane & Co., Shepherd's Town, who not only then, but for many years thereafter, kept a very extensive mercantile establishment, advertise a large stock of goods of all kinds; and Jeremiah Evans, in Jamesburg, Berkeley County, four miles from Garrard's Town, informs the public that he will sell for cash a fine stock of

goods. Col. Samuel Washington has for sale in Charles Town a number of lots on Washington Street; and George Wibly, Martinsburg, will sell a lot on the main street, whereon is a "log dwelling house, well paled in as a clover patch." Newkirk & Porterfield have opened a stock of goods at Newkirk's Mill; Philip Bedinger offers for sale a fine plantation at Watkin's Ferry; John McCleary, first sergeant, notifies the members of Capt. Magnus Tate's troop of cavalry to meet punctually on the 19th at Martinsburg, and the editor of the paper, John Alburtis, in a two-column advertisement enlarges upon the virtues of a remedy for worms, a cure for the whooping-cough, an extract of mustard, and an elixir for sore throats, all of which remedies the editor has for sale at his office. And in the matter of taverns there were a number in operation. John Robinson informs the public that he has just opened one in the house lately occupied by Ignatius O'Ferrall, next door to William Mackey, Jr., at the sign of the "Indian Chief." The proprietor says: "I would just beg leave to remark that this house is not exceeded by any in Martinsburg, and is much superior to many others." John Hunter advertises the "General Washington Tavern," and George Smith, Shepherd's Town, keeps a house of entertainment at the "Sign of the Swan."

John Dixon offers \$10 reward for the apprehension of his negro, Charles, and although advertisements of that character were quite numerous before the late war, and familiar to all the older residents of this section, yet the language of this one is such as to merit a reproduction here in part. Mr. D. says: "This villian ran away from the subscriber without cause, and has been seen several times near Sheperdstown since his elopement. The subscriber is unable to describe his dress, but he is an artful scoundrel and will no doubt disguise himself." And that this "fellow is about thirty-two years of age, rather a small man than otherwise, can read and write, and is an artful, talkative rascal." One can scarcely realize now that all this was looked upon once as only a passing matter—something that was neither wrong nor right—only an event. Truly the sun of progress, in the language of Brother Jasper, "do move."

In the matter of local news there is not a single item in this old sheet of 1802, the idea of chronicling the occurrence of home matters not as yet having dawned upon the editors of newspapers anywhere. In fact, it was many years afterward before a country paper grasped the fact that the news of the community wherein it was printed would

be interesting to the readers of the same. But instead, lengthy articles, months old, reprinted from foreign journals, together with prolix essays on trite themes, and redundant discussions on useless points, filled the columns of the papers. The advertisements, therefore, are nearly the entire source from whence a glimpse of the times may be had.

A volume of the *Martinsburg Gazette*, commencing January 11, 1811, having been kindly placed at the disposal of the writer, a number of extracts will be made from it.

The *Gazette*, Vol. XII, No. 35, was printed and published by John Alburdis, the same who printed the *Intelligencer* in 1802, and was considerable of an improvement over its predecessor. Its columns are filled with advertisements and interesting reading matter, no doubt, at the time it was published. The world at the date given was passing through mighty convulsions. The conquering Napoleon was laying empires broadcast beneath his feet and his sway seemed only limited by the confines of the earth. Even America experienced a slight tremor at the onward tread of the great soldier, for Waterloo was as yet many years distant. On this side of the water the United States was looking sullenly at the encroachments of England upon the rights of Americans, and protesting against the many outrages committed by her. A volcano was grumbling and groaning, destined to burst ere long and with such effect as to sweep before it all feeling except aversion, from out the hearts of Americans for the mother country, who yet entertained the hope of some day recovering her lost valuable possessions. England's course in 1812-14, left in the minds of her former children a hatred that exists to this day.

In consequence of this expected war, lands in the Valley of Virginia, as well as elsewhere, depreciated much in value, and large quantities were thrown upon the market. The uncertainties of the time made money scarce, for those who had it hoarded it up. Various parties advertise tracts of land for sale, and among those were Adam S. Dandridge, Edmund Pendleton and William Anderson. Lots in Martinsburg were offered for sale by William Burns and John Robinson, and Thomas C. Smith, the merchant, desires to dispose of his property. But the politicians did not "depress" with everything else, for Mr. John Baker, the great Federalist, a noted opponent of the war with England, announces himself as a candidate for Congress. A singular state of affairs existed in Berkeley County at this time; the

majority of its citizens were rank Federalists, which meant opposition to a war with England; singular this was, considering the fact of how handsomely her sons turned out during the Revolutionary struggle. Mr. Baker was a native of Berkeley County and was one of its most able lawyers. He was elected at the ensuing election after he published his card above spoken of, and was active in endeavoring to prevent a war with England. He advocated whilst in Congress the improvement of the Potomac River. He died in Shepherdstown in 1823 from a fever that prevailed as an epidemic in that town for some months.

The Martinsburg Academy, a school of a very high order, is advertised by two of the trustees, David Hunter and Obed Waite. Rev. John B. Hoge, one of the noted family of Hoges, whose father has been spoken of in another chapter, taught Latin and Greek in this academy. The tuition was \$20 per year, each student to pay in addition to that sum a proportion of the expenses of the house rent and fire wood. The following June, 1812, the same gentleman inserted the following advertisement in the *Gazette*:

A teacher of the Latin and Greek languages is wanted to take charge of a school in Martinsburg, Va. The subscribers feel confident that a school in this place, for teaching said languages, constantly kept, and well managed, would produce to the teacher \$400 per annum, and they will assure the payment of \$300 for the first year to a person well qualified to teach said languages; none other need apply.

OBED WAITE,
DAVID HUNTER.

Jan. 10, 1812.

There were numerous stores for that day, and some that would doubtless compare favorably with any in Martinsburg at the present time, at least in amount of stock kept.

James Faulkner, in an advertisement dated December 21, 1810, states that he has a fine stock of "fashionable spring goods, liquors, wines and groceries." This gentleman, the father of the late Charles J. Faulkner, and grandfather of Senator C. J. Faulkner, and E. Boyd Faulkner, Esq., was brought, as has been stated, from Ireland, when a lad of ten years, by Richard McSherry, and placed in charge of Michael McKewen. Mr. Faulkner, in addition to being a merchant, was a magistrate, being appointed in 1813. He had strong military tastes and some time before 1812 had an artillery company in Martinsburg. He entered the war and acted with much skill and gallantry, coming out of the service with the rank of major of artillery. In 1803

he married the only daughter of William Mackey, and died in April, 1817, being buried with Masonic and military honors. Mr. Mackey was a captain in the Revolutionary army and one of the justices of Berkeley County, about 1810.

In 1811 Daniel Zinn & Co. advertises that they have just received an additional supply of "hardware, saddlery, tinware and bonnetts," which to the ladies of to-day must seem a singular mixture of commodities. Thomas C. Smith still continues to keep a general store, and Alexander Cooper informs the citizens that he is just opening a fine assortment of new goods. William Long makes it known that he has again begun business at the old stand, and Ignatius O'Ferrell has just opened a stock of goods in the room formerly occupied by Lewis and Robert Willis.

In 1812 John Stewart advertises that he will shortly open in his new store room a fine stock of dry goods and groceries, and Daniel Burkhart wishes to make it known that he has just opened in the store formerly occupied by Mr. Price, a "handsome and neat assortment of spring and summer goods." Some of the old account books kept by Mr. Burkhart are still preserved by his son, Dr. Burkhart, of Martinsburg, and the writing in them is like copper-plate printing—as even as type and not a blotch in the books from beginning to end.

In 1813 James Faulkner, still in the dry goods and grocery business, took in as a partner John K. Wilson, the firm being Faulkner & Wilson. The firm of Daniel Zinn & Co. was dissolved and that of Zinn, Nadenbousch & Co. succeeded it. But in 1814, Daniel Zinn, alone, states that he is now occupying the store formerly used by Alexander Cooper. Adam Young also kept a store at this time.

The foregoing were the principal mercantile establishments, or general stores, but there were a number of others in special lines, or rather they were the shops of the mechanics of the varied trades. John Guseman had a nail factory in Martinsburg, and George Hivner carried on milling in what was even then called the "old Stephen's mill." Levi Price must have had a kind of drug store, although the drug store in its modern shape had not as yet been evolved from the cross between a doctor's shop and a grocery, at least not in country towns. Mr. Price has half a column in praise of his patent medicines. Edward A. Gibbs conducts a woolen-mill in Martinsburg, and Jonathan Cushwa has a "picking and carding machine, on Tuscarora, two miles from town." George Kearns carries on the chair-making, paint-

ing and turning business, and Michael Kearns carries on the wheelwright business, making flax, wool, and cotton wheels, check-reels and Windsor chairs, and did all kinds of turning.

Christopher McAllister was a shoemaker, and Jacob Poisal was a boot and shoemaker; James B. Small was a tailor; John Helferstay a saddle and harness-maker; James Boden was a blacksmith; Jesse Hayden was engaged in watch and clock-making and selling jewelry; Samuel Graham succeeded John O'Ferrell in the tanning business; Edward A. Gibbs paid cash for old copper and brass; Jacob Bishop sold bar and scrap-iron, and William B. King and John Rice at their mill on Mill Creek offer twenty-one barrels of flour for 100 bushels of wheat. A. Jewett, attorney at law, announces the fact that he is ready for clients, and Dr. Thomas McPherrin informs the public that he has recommenced the practice of medicine and can be found at "his old shop," opposite Mr. Ignatius O'Ferrell's store.

Taverns were plentiful. December 14, 1810, Michael McKewen, the Irishman, who took charge of James Faulkner when he was a lad, advertises that he has just opened a tavern in the yellow house where he formerly kept store, on South Queen Street, between the market-house and the bridge. The "Globe Tavern" was also kept at this time. The "Martinsburg Inn" was kept by Luke Pentoney, on Queen Street. Graham's Tavern was also well known.

Amusements were not overlooked in that early time by any means. Racing horses was indulged in by almost all gentlemen of the days of 1812-14. Race courses were kept up in the vicinity of every town that made any claims to be anything at all. There were courses at Charlestown, Berryville, Middletown, Shepherdstown, Hardscrabble, Winchester, Martinsburg and other points, and considerable sums were offered as prizes.

Theatricals, also, were patronized. On the evenings of February 15 and 16, 1811, a performance was given for the purpose of raising funds to purchase a fire-engine. What became of the scheme does not appear by the *Gazette*, the editor not saying a single word about it, simply publishing the advertisement. In the following September a theatrical troupe played "Matrimony, or the Prisoners," "The Rival Soldiers," "Love Laughs at Locksmiths," and "The Wag of Windsor," at Mr. Billmire's tavern. The "American Museum of Wax Figures," also gave an exhibition about this time at the "Martinsburg Inn," kept by Mr. Pentoney.

The first indications hereabouts of the war of 1812-14 is an advertisement signed by Lieut. Lewis P. Willis, U. S. A., who established a recruiting rendezvous in Martinsburg and calls for "Men of patriotism, courage and enterprise."

July 4, 1814, a grand celebration was held in Martinsburg. All political differences were laid aside, and to do that involved a struggle, no doubt, that was very trying, for the bitterness that prevailed over the war issue was scarcely equaled in the days of 1861-65. Yet those old worthies of 1812-14 exhibited more of a fellow-feeling for each other than their descendants. All must bow at that day before the grand idea of celebrating the Nation's Natal Day—Federal and Republican joined hands when the name of Washington and the Declaration of Independence was mentioned. They had speeches and toasts and whisky, and a procession, and a grand dinner at Mr. Goulding's Inn, and everybody was happy and had a headache next morning.

In August of this year a large camp-meeting was held not far from Martinsburg on the land of John Campbell.

The following curious advertisement appears June 30, 1814, and is worthy of a reproduction here:

A WHITE NEGRO.—*Fifty Dollars Reward.*—Ran away on Sunday the 19th instant, from Barnett Lee, in Berkeley County, and on the 22d instant was purchased by the subscriber, living at Berkeley Springs, where the reward will be paid, together with all reasonable charges for the delivery of the said boy—called Losson; he adds Thornton to his name—perhaps he may call himself Thornton or Losson. He is as white as any man on earth, but a slave for life; his hair is red and turned up behind with a nice curl; has blue eyes; is a little cross-eyed, and but for that would be very likely; is five feet ten inches in height, or thereabouts; is about twenty years of age; he had on and took with him a light summer coat of cotton striped blue, a swan-down vest striped black, two cotton ditto striped of some color not remembered; a roundabout white chain filled in with black wool, almost black itself—pantaloons of the same; an old fur hat that lops a little on the side, but it is more than probable he may have a new hat by this time; he had on half-worn shoes; had three shirts, one linen and two muslin, two of them considerably worn.

If this man Losson knew I had bought him, Mr. Lee tells me, that he would come home to me, as the white negro expressed a great desire to be sold to me. I never saw him myself, but the man has seen me, I suppose. I would be thankful to those who may have any knowledge of said fellow, for the earliest information of my purchase, and if he comes in himself he shall have the above reward.

June 23, 1814.

ROBERT BAILEY.

In 1819 Anthony Blondell conducts the jewelry and silversmith business, and David Scott is a watch and clock-maker, while Adam Stewart, Jacob Poisal and Joseph Semans are the shoemakers, and Solomon Hedges carries on cabinet-making. Mr. William Kroesen is proprietor of the "Columbian Inn," the most noted tavern in this section of country at the time.

In 1825 financial matters had become much easier, the effect of the war having worn off to a considerable extent. New businesses were springing up. A woolen cloth factory was in operation in Martinsburg, with C. G. Conradt as proprietor, and there were many fine stores, among which was one kept by James P. Erskine & Co.

During the year 1825 India rubber was introduced into the United States, and as an illustration of the great progress made since that time in an article now so generally used for ten thousand purposes, the following is copied from the *Gazette*:

"INDIA RUBBER SHOES.—These shoes, some of which have been imported into Philadelphia from South America, are spoken of as very comfortable and useful articles. Indeed, says the *National Gazette*, their advantages must appear evident, when the elasticity and impenetrability of the gum of which they are made, are compared with the thin and absorbing quality of the leather or stuffs of which shoes are commonly manufactured. Females are becoming to exhibit a little more prudence in their winter apparel, and it is very likely that the bill of mortality would be most happily lessened, were these gum elastic shoes substituted for the fashionable sandals which are now in use."

May 17, 1825, a meeting of citizens for the formation of a library society, was held at the reading room of Mr. Evans, and Dr. Richard McSherry was called to the chair, and Charles J. Faulkner was appointed secretary. The committee previously appointed reported in substance as follows: The association to be called the "Martinsburg Library Society." Shares were issued, each member of the society being obliged to own one share at least, valued at \$2. The following were the first officers: *President*—Dr. Thomas Davis. *Directors*—Rev. Charles P. Krauth, David Holmes Conrad, John F. Snodgrass, Dr. Richard McSherry. *Librarian*—James N. Riddle. *Treasurer*—William N. Riddle.

On the afternoon of June 1, 1825, the most terrific storm known in this section occurred. The wind and rain was fearful and being

accompanied by hail, the damage was very great. The storm seemed to rage the fiercest in the Back Creek Valley, but extended eastward about five miles. Entire fields of the growing crops were cut off or leveled with the ground, and as the wheat was in full head and heavy it could not rise again, thereby causing the destruction of thousands of bushels of grain. From the description in the old *Gazette* this must have been what we would now call a cyclone.

On the 15th of June, 1889, the day preceding the one when the writer copied the above from the old files of newspapers, a storm occurred in Berkeley County that is asserted by old citizens to be the severest on record. As in the storm of 1825, whole fields of grain were destroyed and many valuable fruit and other trees broken off and rendered useless except for fire-wood. One farmer alone lost 300 of his best fruit trees. Shortly before this storm, the heaviest flood known to residents along the Potomac spread devastation and ruin among hundreds of families. The Potomac rose seven and a half feet higher than the highest water-mark on record at that time, and swept away many bridges, including all on the Potomac except three. In Martinsburg along the Tuscarora Creek much property was injured, and throughout the county nearly all of the bridges were swept away, causing immense loss and inconvenience.

July 4, 1825, Martinsburg celebrated the birth of the nation in splendid style. The day being fine, at an early hour the handsome corps of riflemen under the command of Capt. Erskine, paraded in the public square. Moses T. Hunter, Esq., was the orator of the day and Gen. Elisha Boyd read the Declaration of Independence. Several gentlemen of the engineer corps engaged in laying off the route of Chesapeake and Ohio Canal were invited to join the festivities, among whom were Col. Abert, Lieuts. McComb, Findlay, Berry and Vail. The procession formed under the direction of the marshal, Col. Gregory, assisted by Capt. Lauck, the line being "graced by the presence of a large number of the ladies, who walked in the parade with the same pride that swelled in every bosom and beamed in every eye," to use the language of the patriotic old editor of the *Gazette*, Mr. Washington Evans. After the oration and reading the happy throng moved to the place of Capt. Ransom, near Martinsburg, and partook of a plentiful dinner prepared by Mr. John McCleary, at which Col. Hunter and Col. Gregory presided. A number of toasts were drunk, and from the collection the three following splendid specimens

have been selected for reproduction. We of this highly cultured and superlatively improved epoch, are too prone to look upon things of the past as being something not at all to be thought of as equaling our efforts—a little crude, in fact, if not even boorish, and especially Fourth of July Celebrations, with what we are pleased patronizingly to term, their “spread eagle” speeches, etc. But if any modern assembly, with the best talent in the land to head it, can show in a group of toasts, three of them with as much meaning, as much beauty of expression, or as much conciseness and comprehensiveness combined, as in these three Martinsburg efforts of 1825, then the pen hereof shall be forever silent on the subject. This trio of gems—deserving “frames of gold and letters of silver”—are as follows:

“Let the subjects of crowned despots keep the birth-days of their masters:—we celebrate the birth-day of our freedom.”

“The devoted band of patriots who declared us free;—would you try them by their peers:—go to Thermopylæ.”

“LAFAYETTE, the man without fear and without reproach. His whole history is a proof that the days of chivalry are not over.”

After an interchange of courtesies, much harmless hilarity and a general strengthening of the sentiments of liberty among all, the company returned to town at an early hour, terminating the festive occasion with a grand ball at the Globe Tavern.

Politics in those old days ran high, and if we think these latter days have monopolized all the bitterness we are greatly mistaken. Gen. Jackson was running in 1825 and the *Gazette* was strongly opposed to his election. It published all the current charges against the old hero of New Orleans, and made light of his nomination. Jackson was then United States senator, and when he became the nominee of his party he resigned his senatorship, fearing that he might be charged with corruption and intrigue if he retained his position while running, whereupon the editor of the *Gazette* remarked that “General Jackson may remain quiet; he has climbed the ladder of political fame as high as he will ever get—he will never become president of the United States,” but that writer was not the only one who ever predicted backwards; half of the newspapers of the country made the same mistake a year or so ago.

The current prices for the leading marketable products on September 22, 1825, in Martinsburg may be interesting:

Flour, per barrel.....	\$4 00 @ 4 50
Wheat, per bushel.....	55 @ 60
Rye, per bushel.....	30 @ 33
Corn, per bushel.....	30 @ 35
Oats, per bushel.....	20 @ 25
Potatoes, per bushel.....	40 @ 50
Apples, per bushel.....	20 @ 25
Beef, per pound.....	4 @ 5
Pork, per pound.....	4 @ 5
Veal, per pound.....	4 @ 5
Butter, per pound.....	10 @ 12
Eggs, per dozen.....	6 @ 8
Peach Brandy, per gallon.....	80 @ 1 00
Apple Brandy, per gallon.....	34 @ 35
Whisky, first proof, per gallon.....	24½ @ 25

Two fires about one month apart destroyed considerable property in 1825. The first occurred October 23, and was the large stone merchant, grist, plaster and clover mills of Gen. Elisha Boyd, located on Mill Creek. It contained a large amount of grain, including 103 bushels of clover seed. The general's loss was \$12,000, and the loss of other individuals about \$4,000. There seemed to be an epidemic in fires during the preceding few years, for in addition to several less destructive conflagrations there were four other merchant mills in the county consumed by the flames during the three years last past the date given.

November 18, a disastrous fire broke out in Martinsburg at 10 o'clock at night, destroying five buildings: two stone dwelling houses, a stone kitchen, a frame house and a stable. The fire originated in Col. John Strother's stable, spreading to his dwelling and a dwelling occupied by Abel Dunham. There seems to have been no fire apparatus, as the trustees of the town immediately voted \$500 for the purpose of purchasing a fire engine. The scheme for obtaining an engine by funds resulting from the theatrical performances given in 1811, must have fallen through, or they could not raise the money.

Early in the 30s, Mr. Edmund P. Hunter became proprietor of the *Gazette* and the paper became the *Martinsburg Gazette and Public Advertiser*. By this time the managers of newspapers had grasped in part, at least, the idea of a local column, for in this paper of April 25, 1833, several local matters are given under a separate heading from the balance of the news. The superior court of chancery had just closed its sessions in Martinsburg, and the local editor gives some account of the proceedings of the court. Judge Richard E.

Parker presided. The editor states that criminal cases are rare and even breaches of the peace are uncommon, and felicitates the citizens of Berkeley upon this state of affairs, and consolingly says: "Although the editor is a member of the legal profession, he rejoices in this condition of things."

Extensive fires in the country are reported. There had been no rain for several weeks, and everything was as dry as powder, when by some means or other a fire was started on the farm of Harrison Waite, about two miles southeast of town. Large quantities of timber, fences and outbuildings were destroyed, and barns and residences threatened. The flames spread with the rapidity of a hurricane and extended to the plantations of William G. Burns, George Burns, William Kroesen and others. Two other fires were on the farms of John Sutton, Mr. Welshans and Mr. Emmert.

A local item conveys the important information that "We are happy to state that the President of the Chesapeake & Ohio Canal Company will, in the course of a few weeks, dispatch an engineer to this county to survey the route of a canal from this place (Martinsburg), along the Opequon to the Potomac." The next issue of the paper gives a glowing account of the fact that the survey has been made and that the work will at once be begun.

The paper bewails the fact that "a line of stages has been put on from Hagerstown to this place, as they will now only receive three mails from the east per week, whereas by the horse-mail they had one a day." In this same issue the announcement is made that Charles J. Faulkner, John B. D. Smith and John S. Gallaher have been appointed to settle the boundary line of Virginia, on the part of this State. Edward A. Gibbs has just established an iron and brass foundry in Martinsburg.

Rumors of the cholera approaching this section caused the trustees of the town to bestir themselves in the matter of giving Martinsburg a thorough cleansing. A large committee was appointed to attend to the matter.

Berkeley County was quite early in the field in the caused of temperance. On May 27, 1833, a meeting of the Berkeley Temperance Society was held in the Lutheran Church in Martinsburg, and a stirring address was made by the president of the society, Mr. Edward Colston. The officers of the organization were: *President*—Edward Colston. *Vice President*—John Doll. *Secretary*—John

Strother. *Treasurer*—John K. Wilson. *Managers*—James M. Brown, William C. Matthews, Jacob Medtart, John N. Riddle, George Tabb, Hiram Henshaw, Archibald Sheerer, Christian D. Wolff and Adam Senaker.

Among the occasional advertisements of the sale of negroes the following, published in 1833, bears such a stamp of humanity about it that it gives the lie to the wholesale charge of heartlessness on the part of those who owned slaves. Those who have never lived among the "institution" as it existed in the *ante bellum* days can not realize the verity of it:

"*Negro Woman For Sale.*—One that is well acquainted with every kind of house-work, sober and honest, sold for no fault, and will not be sold to a trader. Enquire of the printer."

"July 11, 1833."

The following, copied from the *Gazette* of July 18, 1833, shows that the cyclone, as well as the flood, is not a modern invention: "The southern portion of this county was visited by a tremendous hurricane on Sunday evening last. It crossed the mountain near Gerrardstown, and blew with violence toward Harper's Ferry, embracing several miles in width. It unroofed houses and barns, carried off quantities of fencing, destroyed a great deal of timber, blocked up the roads, and injured a great many growing crops of corn and oats. The storm was accompanied with hail. In a ride through a portion of Jefferson County over which the storm passed in its fury, we observed immense oak trees borne to the earth, and the large tops of some carried to such a distance that it was impossible to designate their original locality."

An account of the discovery of anthracite coal is given in a paper issued in September, 1833. It states that for many years the fact of the existence of coal in this county had been surmised, and that even small specimens had been exhibited, but that during the past month Mr. Purcell, an engineer of the canal, accompanied by several individuals, made an examination near the source of Meadow Branch, between the Third Hill Mountain and Sleepy Creek Mountain, and after digging a few feet under the surface of the earth encountered a "bed of anthracite coal of the finest quality." The engineer reported that from the physical analogy of the region in this county to the coal fields of Pennsylvania, that coal must exist here in great abundance. A large specimen weighing several pounds was labeled and sent to the Virginia Historical Society.

In November of this year, 1833, occurred the great meteorological display, undoubtedly the finest ever witnessed by man. The editor of the paper makes a note of it the day following, and says that although he did not see it himself, those who had that pleasure describe it as being wonderful: "the heavens appearing to be wrapped in a blaze of light, with hundreds of shooting stars flying in every direction." The following issue of the paper gives glowing accounts of the rare scene, and the various theories then prevalent, not one of which hinted at the now accepted cause known almost to a certainty to science—the existence of a great meteor-zone lying near the earth's orbit.

As a fitting conclusion to the comparatively primitive era, at least in many things, of the days preceding 1835, in the lower valley, and as an important precursor of the progress that at the date given was about to begin, the following advertisement seems appropriately to have a place in this work. It is the first advertisement in relation to a railroad train, and the first approach to a schedule ever published in this section of country and must have been, consequently, the first ever printed in a newspaper west of the Blue Ridge Mountains, through the whole extent of country stretching to the Pacific, and for that matter clear around the world till it struck England. And strange to say, this important event, one of the most momentous in the world's history, received not one word of notice in the paper in which it was printed. Politics in 1834 was too important a matter upon which to waste a line of the valuable space of a newspaper in reference to such a common-place affair as the inauguration of a railroad, even if that railroad *was* the first to stretch its giant arms over these mountains, and to bring cities and towns and villages closer by days and weeks to a market for their products. But here is the quaint schedule:

TRANSPORTATION

ON THE BALTIMORE AND OHIO RAIL ROAD

Between Harper's Ferry and Baltimore.

THE CONVEYANCE OF TONNAGE on the Rail Road to and from HARPER'S FERRY, will take place on and after Monday next, the 1st of December.

The TRANSPORTATION OF PASSENGERS will commence on Wednesday the 3d of December.

The Rail Road Company will until farther notice, receive Produce and Commodities generally, at the termination of the Railway at

Harper's Ferry, and will give to the parties from whom they may receive such produce receipts for the same, engaging to deliver it to the consignees in Baltimore, or at any other public or private Depot, in good order, when it shall be delivered in such order to the Company.

They will also receive produce in like manner, at Wever's Mill, and at Berlin, or at such other points as may hereafter be agreed upon with forwarders.

The charge of the Company for conveying flour to Baltimore will be as follows, viz:

From Harper's Ferry,	33 cts per bbl.
Wever's Mill,	32 do do
Berlin,	31 do do

The Rail Road Company will also receive Goods or other commodities in Baltimore,—or any other public or private Depot on the Rail Road,—destined for Harper's Ferry,—transport and, immediately on arrival, deliver the same at the termination of the Railway, to the consignee thereof.

The charges by the Company for such conveyance from Baltimore to the Ferry will be as follows, viz:

Plaster of Paris, per ton,	\$2.40.
Salt & Salted Fish per 100 lbs.	14 $\frac{1}{4}$ cts
Merchandise, do	22 $\frac{3}{4}$ do

Trains of Wagons will start daily from Harper's Ferry and from Baltimore and proceed regularly to those places, respectively, and all commodities will be promptly forwarded in their successive order after being received by the Company.

Fair prices can be obtained at all times for the GONDOLAS from which produce may at any place have been delivered to the Rail Road Company.

The TRANSPORTATION OF PASSENGERS will, until further notice, be as follows, viz:

FROM HARPER'S FERRY TO BALTIMORE OR FREDERICK CITY.

A Train will start at 8 in the morning

FROM BALTIMORE TO HARPER'S FERRY.

A Train will start every morning at seven o'clock, reaching the Ferry at about three in the afternoon.

W. WOODVILLE,

Superintendent of B. & O. R. R.

Office of Transportation, Dec. 4, 1834.

CHAPTER XIV.

TRUSTEES, COUNCILMEN, COURTS AND OFFICERS.

THE TRUSTEE FORM OF GOVERNMENT—ENLARGED POWERS—THE ACT—FIRST OFFICERS—NUISANCES—MARKET RULES—TRUSTEES VS. PARRETT—JAMES FAULKNER AS A JUSTICE—"NO PROPERTY FOUND"—A FAMOUS DOG CASE—"TRUSTEES VS. SNOWDELL ET UX."—SPIRIT OF IMPROVEMENT—PETITION OF FAULKNER, ET ALS.—NO RIDING ON SIDEWALKS—TAX LIST—OLD MARKET HOUSE—INCORPORATION OF MARTINSBURG—THE ACT—FIRST PROCEEDINGS—MORE IMPROVEMENTS—FIRE ENGINES—THE WAR PERIOD—"A MESSENGER FROM WINCHESTER"—A SAD MUNICIPAL ENTRY—FROM '62 TO '65—REORGANIZATION—STILL FURTHER IMPROVEMENT—A NEW CHARTER—LIST OF OFFICERS—LIST OF JUSTICES—SHERIFFS, COUNTY CLERKS, PROSECUTING ATTORNEYS—CIRCUIT COURT JUDGES AND CLERKS—OTHER OFFICERS—PRACTICING ATTORNEYS.

BECOMING tired of the old system of justice courts as applied to their growing little city, the citizens of Martinsburg applied to the General Assembly of the Commonwealth to grant them by law the privilege of electing a set of trustees to regulate and oversee their town matters. So, in response to the reasonable request the following act was passed February 9, 1813:

"An act concerning the town of Martinsburg in the County of Berkeley.

"Be it enacted by the General Assembly, that it shall and may be lawful for the free white male freeholders and housekeepers above the age of twenty-one years, who shall have been resident in the town of Martinsburg in the County of Berkeley twelve months next preceding every election to be held by virtue of this act, and all free white male persons above the age of twenty-one years, being citizens of Virginia and freeholders in said town, whether residents of said town or not, to meet at the Court House of Berkeley County within the said town, on the first Monday of April in the year of our Lord one thousand eight hundred and thirteen, and on the first Monday of April in every second year thereafter, and then and there (under the superintendence of one or more justices of the peace of Berkeley County resident in the said town), nominate and elect seven fit-persons, being freeholders

and residents of said town, to serve as trustees thereof, who shall continue in office until the next succeeding election (provided they continue to reside in said town), and no longer, unless re-elected. And it shall be the duty of the justice or justices, superintending the election as aforesaid, to notify the persons thus elected as trustees within five days thereafter.

“Every trustee, before he enters on the execution of the duties required by this act, shall take an oath, or make solemn affirmation, before a justice of the peace for the County of Berkeley, that he will, faithfully and impartially, to the best of his skill and judgment, perform his duty according to this act; whereupon all the rights vested in, and powers given by the law to, the trustees appointed for said town before the passage of this act, shall cease to exist in the said former trustees, and shall vest in the trustees chosen by virtue of this act, who are hereby made a body corporate and politic by the name of ‘The Trustees of the Town of Martinsburg.’

“The said trustees chosen by virtue of this act, and qualified as aforesaid, or any four of them, shall have power to make bye-laws and ordinances for the regulation and good government of the said town; and the same to amend, alter and repeal, at their pleasure; and to enforce obedience thereto by such penalties as they shall think fit, not exceeding ten dollars for any one offense, recoverable by warrant before any justice of the peace for the said county of Berkeley: Provided, such by-laws and ordinances shall not be repugnant to, or inconsistent with, the laws and constitution of the State or of the United States.

“The said trustees, chosen by virtue of this act, and qualified as aforesaid, or any four of them, shall have power to remove or abate nuisances, or cause the same to be done; to repair the public streets and alleys; and to do, or cause to be done, all other things necessary for the benefit of the said town; and to assess taxes on the inhabitants, and all property within the bounds of the said town, for the purposes aforesaid, and such other purposes as they shall think fit, for the benefit of said town;—provided that the assessments and taxes aforesaid shall not exceed seventy-five cents on each tithable, and five per cent on the annual rents of real property within said town, in any one year, agreeably to the books of the commissioners of the revenue in Berkeley County.

“The trustees shall have power to appoint one of their own body

to preside at their meetings, who shall continue in office, as president, during the pleasure of the trustees; and in case of his absence, the trustees may appoint a president *pro tempore*, who shall have power to call a meeting of said trustees, whenever he shall think fit, any four of whom may proceed to business. They shall keep a fair record of their proceedings and accounts of monies by them received and disbursed. Every trustee who shall refuse or neglect to meet, when required, not having a reasonable excuse (to be judged by the board of trustees), shall for such refusal or neglect, forfeit and pay a fine, not exceeding fifty dollars, to be collected by the collector hereinafter to be appointed, as other assessments, and applied to the use of said town.

"The said trustees shall have power (upon the petition in writing of two-thirds of the freeholders of any section or part of the said town, or of so many of such freeholders as represent, or hold, in their own demesne as of fee, two-thirds, in value, of the houses and lots in such section or part of said town, praying a bye-law to pass for paving the sidewalks of such section or part of the town, at the expense of the owners of the houses and lots in such section or part of the town, in proportion to their property held there) to pass such bye-law, if they think it reasonable, and to enforce obedience to the same, as in case of any other bye-law made by them.

"The trustees shall meet at the court house of Berkeley County in the said town of Martinsburg, within fifteen days next after their election, and being qualified as this act directs, may proceed to execute the duties required thereby.

"This act shall commence and be in force from and after the first day of March next.

"WM. MUNFORD,

"Keeper of the Rolls."

The act also provides for the filling of the places of trustees in case of death, resignation, etc.; to render a true account of their transactions; for the appointment of a tax collector; and stipulations reserving the rights acquired before the passage of this act. etc.; which is not necessary here to reproduce.

In pursuance of the foregoing an election was held, which resulted in the selection of the following gentlemen as trustees: David Hunter, Elisha Boyd, William Gregory, Edward A. Gibbs, John S. Harrison, Thomas C. Smith, and Obed Waite; David Hunter was chosen pres-

ident of the board; Obed Waite, clerk; Charles A. Stewart, collector of taxes, and Thomas C. Smith, treasurer.

The first business after the organization in April, 1813, was the drafting and enactment of a number of by-laws for the better government of the town, the appointment of a market master, and laying down a set of regulations to govern the market. Peter Shaffer was made clerk of the market.

The first by-law was, naturally, against nuisances. The city fathers made it punishable with fines to permit any dead animal to remain on their premises, and failing to remove it at least 200 yards from the town limits, and 200 yards from the dwelling house of any person. Also, prohibiting any "blue-dyer or batter" from throwing any dye-stuff in or near the public spring, and that no one should wash in or near the said spring any dirty linen or other wearing apparel. No lumber, wood, dirt, sticks or stones were to be thrown on the streets, alleys or public square of the town under a penalty of not less than one nor more than ten dollars, provided, of course, none of the articles named used for building purposes were included in the proscription. It was also enacted that where any person apprehended danger from fire emanating from smiths' shops or other shops, houses or buildings without a stone or brick chimney or stovepipe not sufficiently high, they could have the same declared a nuisance and removed. Galloping or "straining" horses in the public streets was likewise prohibited, under a penalty of \$2.50, and if the offender be a servant or slave, unless the master pay the fine for him, the offender was to receive such number of lashes, not exceeding fifteen, as a magistrate would adjudge. No person was to shoot or fire a gun, rifle, or pistol, except for the purpose of killing "pigeons, mad dogs, or other fowls," which it may be lawful to shoot. Also, that no chimney was to be burned out in dry weather, but when the roofs were covered with snow or were wet, and if they caught and burned with a blaze out of the top, then the owner or occupier was liable to a fine. The usual rules regulating the old markets were enacted, prohibiting the sale anywhere in the town by any person, except at the market house until after nine o'clock in the morning; all kinds of meats, fish, game, vegetables, eggs, butter, fowls, and any other kind of produce; empowering the clerk of the market to seize all unsound or diseased products, and all light-weight butter, etc. A by-law was passed in September, laying the taxes for the year 1813 at \$2.50 on every \$100 of the rent of any property, and 50 cents on each titable person.

The first case on the records for infraction of the by-laws of the town was "*Trustees of Martinsburg vs. William Parrett.*" And it seems to have been quite an important event, at least judging from the array of prominent names in connection with the matter. Thomas C. Smith, a prominent merchant and one of the trustees of the town laid the information before himself and several of his fellow-trustees, whereupon they obtained the magisterial services of James Faulkner who was a justice of the peace at the time, and that gentleman issued a summons for the apprehension of "said Parrett," directed to any constable of Berkeley County. At the bottom of the old time-browned document, entirely written, over the signature of James Faulkner, appears the additional direction to "summon the following persons as witnesses: A S. Dandridge, Conrad Hogmire, Meverill Locke and Charles D. Stewart." Squire William Riddle tried the case, or at least rendered judgment against the defendant, in the sum of \$2.50 fine and thirty cents costs, with seventy-two cents for witnesses. It is altogether probable Mr. Parrett failed to put in an appearance, for on the back of Squire Faulkner's summons is the endorsement "No property found." The terrible charge, as stated in the summons is that "a certain William Parrett did, on the 22d inst., strain a horse on Queen street in the town of Martinsburg." This was in February, 1814.

Another case of almost equal importance as the one just given occurred a little later on, in April: "*Trustees vs. Snowdell and ux.*" The charge as stated in the summons was "a certain Jacob Snowdell and his wife Catherine did lay a dead dog at the house of Juliann Smurr in the Town of Martinsburg." An endorsement on the back states: "Dismissed at the Pltf's cost."

The thriving little town seemed to be ambitious of advancement, and she appears to have had property-holders who would be an example not only for the Martinsburg of the present day, but for many larger cities, where it is a constant fight between the corporate authorities and the property-holders in the matter of improvements. In many cities protest after protest is entered against grading, opening and improving streets, but in 1814, when money was scarce, the spectacle is witnessed of the majority of the owners of business houses and dwellings petitioning the trustees to pass an ordinance compelling themselves and the others on Queen Street from Burk to King Street to pave at their own expense and grade the same, the sidewalks in front of their property. The trustees favorably heard the petitioners and promptly passed the by-law, and following is a portion of it:

"Whereas, James Faulkner, Thomas C. Smith, Daniel Burkhart, Jacob Hamme, George Porterfield, George Wolff, Nicholas Marquart, John Hooper, Adam Young, and Philip C. Pendleton (being two-thirds of the freeholders in that section or part of the Town of Martinsburg, on both sides of Queen, from King to Burk Street, and holding in their own demesne as of fee, two-thirds in value of the houses and lots in said section or part of said town) have presented a petition in writing to the Trustees of the Town of Martinsburg, praying a by-law to pass for paving the sidewalks of the said section or part of the town at the expense of the owners of the houses and lots in the said section or part of the town in proportion to their property held there: and the Board of Trustees have taken the said petition under serious consideration, and having materially deliberated upon the subject thereof it is the opinion of the board that the prayer of the said petitioners is reasonable and that the said board, etc."

Then follow the stipulations in regard to the kind of pavement, which was to be of either good flag-stone or brick, with a substantial curbing and a gutter. All porches were to be taken down on Queen Street between King and Burk Streets, and all cellar doors leveled with the pavement. To facilitate matters James Faulkner, William Long and Jacob Hamme were appointed commissioners to see that the work was carried out. The time stipulated for the finishing of the work, however, was too short, and a petition from the majority of the householders asked further time; they were: Daniel Burkhart, Ignatius O'Ferrall, John A. Stewart, Abraham Levy, James Faulkner, William Long, Jacob Hamme and Edward Beeson. Time was granted till November. Improvements having begun they were gradually extended to other sections of the town, for at a meeting of the trustees in September, a resolution was passed that three commissioners be appointed to view the streets and the market-house and report what repairs were necessary thereon. William Gregory, Edward A. Gibbs and David Hunter were the committee. At this same meeting a by-law was passed prohibiting riding on the sidewalks.

What the population of Martinsburg was at this time, 1814, is now difficult to determine, but, judging from the taxes received for that year, it was not large. The committee appointed to view the streets and market-house, in making their report to the board, incidentally give an idea of the matter, for they state that as the taxes "will not exceed \$450," they of course must keep the appropriations within that

sum, etc. A number of the streets were improved, the following sums being appropriated: For market-house, \$70; Queen Street, \$150; King, \$60; Burk, \$40; German, \$20; John, \$30; Martin, \$10; Stephen, \$8; College Alley, \$12; Spring, \$5—\$405 in all. Quite a respectable sum at that time.

At the election in April, 1815, the same board of trustees as previously, were elected, with one exception. It then stood, David Hunter, John S. Harrison, William Gregory, Robert Wilson, Elisha Boyd, Obed Waite and Edward A. Gibbs. Mr. Hunter was again selected as president, and Obed Waite, clerk of the board. William Gregory was ordered to procure two sledge hammers, two crow-bars, one set of tools for blowing rocks and two shovels, for the hands, and render an account, etc., and he was also ordered to repair Queen Street and Burk Street and draw on the clerk for the expense, "which is not to exceed \$10." At the next meeting in May among other matters transacted was the appointment of a committee consisting of William Gregory, Robert Wilson, and Obed Waite, to examine the stalls in the market house, fix prices on them and rent them. Several appropriations were made to various streets in the town, and altogether their seems to have been a spirit of improvement abroad that was quite commendable. All the business was concentrated on Queen Street between Burk and King Streets, and the old market house stood in the center of the public square. It was a rough, rambling building and not enclosed on its sides.

In 1856 application was made by the leading citizens to the General Assembly of the commonwealth for that body to pass an act incorporating the town of Martinsburg, which request was complied with in March of that year, the law to take effect the first Monday in May of the next year. Accordingly an election was held at the time specified, and the first entry in the minute book of the council is as follows:

"Pursuant to 'An act for the election of a Mayor and Council and other officers of the town of Martinsburg, and to define their duties and powers, passed March 6, 1856,' an election was held on the first Monday in May, 1857, for one fit and proper person for Mayor of the said corporation, and for two fit and proper persons from each of the three wards as Councilmen, and for one fit and proper person from each of the said wards as sergeants thereof, when the following persons were duly elected:

"Mayor—John Q. A. Nadenbousch.

"Councilmen—First Ward, Bernard Doll, E. G. Alburtis; Second Ward, Dennis Murphy, Philip Diffenderfer; Third Ward, George F. Rutherford, Patrick Cunningham.

"Sergeants—First Ward, George A. Schoppert; Second Ward, Thomas P. Hollis; Third Ward, S. S. Dowlan."

At a meeting of the council on the 5th day of May, 1857, were present the mayor, J. Q. A. Nadenbousch, and Councilmen Diffenderfer, Cunningham, Rutherford and Doll.

Bernard Doll was appointed clerk *pro tem.* and on motion of P. Diffenderfer, the laws then in force were accepted for the government of the corporation, and to continue in force until new ordinances be adopted. Application was made to the county authorities for the use of the jail for corporation offenders, which was granted, and suitable rooms were ordered to be procured for the use of the council. Sergeants were required to give bonds in the sum of \$1,000 each for the faithful performance of their duties.

At the next meeting, May 16, E. G. Alburtis was elected clerk, Bernard Doll, treasurer, and W. H. Mathews, market master.

Many improvements were at once inaugurated, the first being the ordering the better paving of the sidewalks on Queen Street. Other streets followed during this year and rules for governing the market were enacted. Steps also were taken for providing the little fire engine with a shed in the rear of the market house.

To give an idea of the great increase in the valuation of property since 1857, the following figures are copied from the estimate for the town levy: Estimated amount of rents in First Ward, \$17,665; Second Ward, \$15,388; Third Ward, \$8,793; Total, \$41,838.

There were in the town, 585 tithables; 211 dogs; 7 hotels; 14 pleasure carriages; 7 carts, drays and wagons; 7 ale houses; 9 carriages at livery.

May 5, 1858, the officers elected were:

Mayor—Anthony S. Chambers.

Councilmen—First Ward, Bernard Doll, A. M. Vanarsdale; Second Ward, J. H. Blondell, M. J. C. Hoffman; Third Ward, P. Cunningham, David A. Cline.

Sergeants—First Ward, George A. Schoppert; Second Ward, Thomas P. Hollis; Third Ward, James F. Reed.

Clerk—A. M. Vanarsdale.

Treasurer—Bernard Doll.

During this year Burk Street and a number of other streets were ordered to be improved.

May 5, 1859.—Mayor, Philip Diffenderfer.

Councilmen—First Ward, Bernard Doll, E. G. Alburtis; Second Ward, J. H. Blondell, Charles M. Shaffer; Third Ward, John Weller, George F. Rutherford.

Clerk—E. G. Alburtis.

Treasurer—Bernard Doll.

At the meeting of the council, May 7, J. H. Blondell, E. G. Alburtis and C. M. Shaffer were appointed a committee to make investigations in regard to the price, construction, etc., of a new fire engine and report the same to the council, which they did on the 12th, at which meeting J. H. Blondell was instructed to make a thorough examination of the First Baltimore Hose Company's engine, and if it was satisfactory to purchase. A favorable report being returned by Mr. Blondell the "machine" was purchased for the sum of \$762.50. During this year great improvements were going on in paving, and many persons objected to going to the expense of laying new sidewalks, or in fact laying any. Many of the objectors had to be fined, and some of them repeatedly, before they could be made to fall into line with the progressive citizens who desired to improve their little city.

May 10, 1860.—Mayor, A. S. Chambers.

Councilmen—First Ward, Joshua Homrich, Bernard Doll; Second Ward, C. M. Shaffer, M. J. C. Hoffman; Third Ward, Joseph S. Chambers, George F. Rutherford.

Clerk—Bernard Doll.

Treasurer—C. M. Shaffer.

May 8, 1861.—Mayor, A. S. Chambers.

Councilmen—First Ward, Bernard Doll, C. W. Doll; Second Ward, C. M. Shaffer, James Mathews; Third Ward, G. F. Rutherford, J. S. Chambers.

Clerk—L. W. Doll.

Treasurer—C. M. Shaffer.

Matters in Martinsburg at this date were in a terribly unsettled condition, but bad as it was it was only a slight breath of the storm that was to break around her during the next four years. Many valuable lives were to be sacrificed, homes broken up and property destroyed, before white-winged peace would again hover over the

little billed city at the gate of the great valley. Yet scarcely any indication of what was going on around them appeared in the recorded proceedings of the council. Those were times when men had to be cautious. No one could tell who would occupy the town to-morrow. So it behooved the city fathers, as well as all others, to keep their public mouths closed, and to be chary of what they instructed their clerks to put down in black and white. Only one business entry indicates for this whole two or three months of almost continued warfare anything to tell of the awful drama. One of the minutes of the proceedings states that the council appropriated "\$25 for the relief of the families of soldiers who were away." But it does not state to what kind of soldiers. There were decidedly two classes of soldiers who went from Martinsburg, and there were most decidedly two classes of opinions here. One can not tell from the records whether gray or whether blue received the benefit.

Another record, in the proceedings of July 23, stands simple and sad in its simplicity: It tells one of the most sorrowful tales ever recorded. The elder Martinsburg resident will recall that gloomy episode in the annals of the first year's strife. The minute speaks its own unwelcome tidings:

"A messenger from Winchester arrived announcing the battle of Manasses, and the expected arrival of the bodies of Peyton R. Harrison, Holmes A. Conrad, Tucker Conrad and John Fryatt, whereupon the council adjourned to meet at 4 o'clock on Saturday afternoon next."

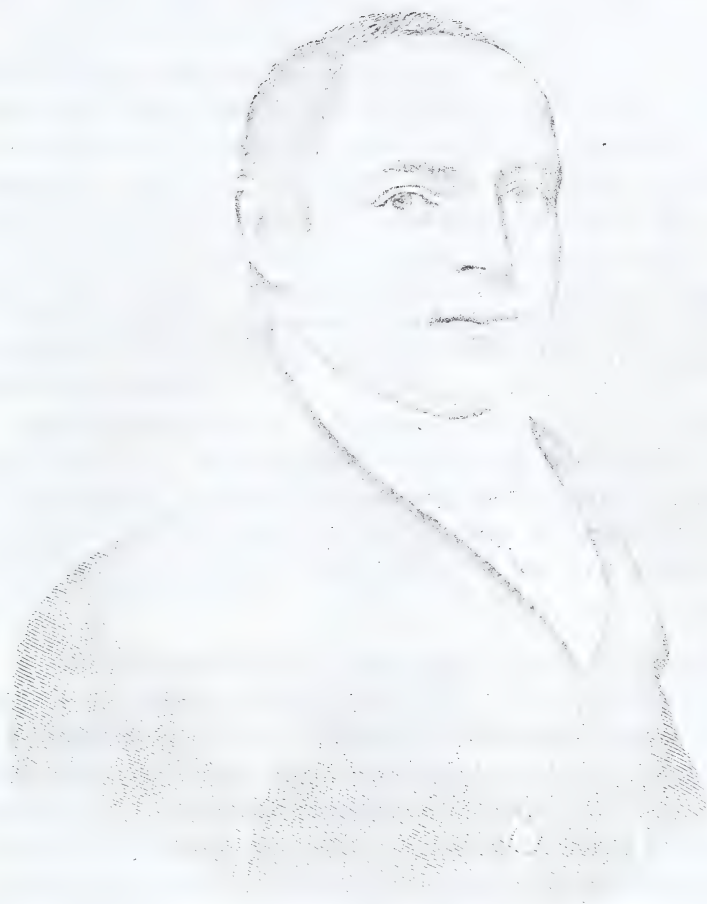
After this last meeting no further proceedings occur until 1862, where the record states that no regular election took place at the proper date, and then a further skip is made to July 12, 1865. That hiatus in the proceedings is eloquent in its very silence.

July 12, 1865, a special meeting was held with A. S. Chambers, the last mayor elected, present, Bernard Doll, C. M. Shaffer, J. S. Chambers, G. F. Rutherford, C. W. Doll. A special election was ordered to be held, and as a result the following officers appear on September 11, 1865: Mayor, James Mathews; clerk, George R. Wisong; treasurer, George F. Rutherford.

1866—James Mathews, mayor; William Wilen, clerk.

1867—J. W. Robinson, mayor; Frank Burr, clerk.

In 1868 the charter of the town was re-enacted and amended by the Legislature of West Virginia, and several changes were made. The number of wards was retained, but the time of election was made



Franklin D. Roosevelt

to occur on the fourth, instead of the first, Monday in May. Additional powers were granted to the corporate authorities, under which many important improvements have been accomplished.

Up to 1870 Martinsburg had no defense against fire save one of the old-style, ineffective fire-engines, but in September of that year the council appropriated a sum of money for the purchase of a steamer. A committee was selected to make choice of a first-class engine and apparatus, and they contracted with the Silsby Manufacturing Company for one of their best rotary steam engines of fine power, and the town is now in possession of a splendid defense against conflagrations of any extent. The sum paid for the machine, including hose and other necessary apparatus, was about \$8,000, and it was a good investment, for property holders now feel a security they never felt before its purchase.

Several special acts of legislation were obtained in 1872, among which was one "for the extension of the corporate limits of the town of Martinsburg;" one for the purpose of authorizing the corporate authorities to issue bonds for the purpose of repairing streets and public highways, and the construction of gas and water-works; and another amending the act passed in 1868 amending the original charter of 1856.

An election was held in July to take the sense of the voters in regard to an extension of the town limits, and was carried for extension by a handsome majority. The town was also re-arranged in regard to wards, two more being added, making five in all, and a special election was held to fill the vacant positions in the said two. An election was also held in 1872 to provide for the issuing of bonds for the purpose of constructing water-works and repairing the streets of the town. The creation of a police force was ordered in this year. In 1873 a water board was created, and a grant of certain privileges to the Martinsburg Gas Company, for up to this late date (1872-73) Martinsburg had neither gas nor public water-works.

Following is a list of the mayors and clerks from the re-enactment of the charter for the town in 1868:

- 1868—J. N. Abel, mayor; H. N. Deatrick, clerk.
- 1869-70—J. N. Abel, mayor; J. T. Picking, clerk.
- 1871—A. P. Shutt, mayor; George Doll, clerk.
- 1872-73—A. P. Shutt, mayor; Frank Patterson, clerk.
- 1874-75—A. S. Chambers, mayor; Archibald Oden, clerk.

1876—A. P. Shutt, mayor; W. G. Butler, clerk.

1877—P. Showers, mayor, appointed.

1878 to 1883—W. T. Logan, mayor; P. J. Foreman, clerk till 1872, when C. A. Young was elected clerk and has continued till the present time.

1884—C. O. Lambert was elected mayor and has successively filled the position since that date, still retaining it (1890).

The corporate authorities are doing much to improve the town. Streets are being re-graded, obstructions are being removed, paving of sidewalks is being strenuously insisted upon, and altogether the ancient little city is gradually emerging from its primitive condition to a very beautiful and thriving place of 8,000 population. A number of factories are in successful operation and there are prospects for several more in the near future.

For purposes of preservation and reference for those who may wish to know who were the officers of the law from the formation of the county onward the following lists have been gleaned and prepared with much labor from the old records; and although there may be an occasional mistake, and a few omissions, yet it is as perfect as all requirements necessitate:

JUSTICES OF THE PEACE.

1772.	Robert Tabb.	George Grundy.
Ralph Wormley.	John Throckmorton.	George Cunningham.
Jacob Hite.	Thomas Lowery.	1780.
Van Swearingen.	Godwin Swift.	James Nourse.
Thomas Rutherford.	James Ariss.	Moses Hunter.
Adam Stephen.	William Patterson.	Robert Baylor.
John Neville.	Morgan Morgan.	Robert Stewart.
Thomas Swearingen.	1776.	George Scott.
Samuel Washington.	Adam Stephen.	James Wilson.
James Nourse.	John Neville.	John Kearsley.
William Little.	Samuel Washington.	1785.
Robert Stephen.	Robert Stephen.	John Davenport.
John Briscoe.	Horatio Gates.	William Porterfield.
Hugh Lyle.	John Cooke.	
James Strode.	Henry Whiting.	1792.
William Morgan.	Robert Worthington.	Joseph Swearingen.
Robert Stogden.	William McGaw.	William Henshaw.
James Seaton.	John McAllister.	James Maxwell.
Robert Carter Willis.	Anthony Noble.	Nicholas Orrick.
Thomas Robinson.	John Morrow.	
1773.	Robert Throckmorton.	1796.
Horatio Gates.	John Gantt.	John Turner.
Robert Stephen.	Walter Baker.	Andrew Waggoner.

Alexander White.
John Kerney.

1798.

John Briscoe.
William Darke.
Charles Orrick.

1801.

James Stephenson.
Winn Winship.
Richard Baylor.
Charles Orrick.
William Alexander.
Charles Cramer.
George Hite.
William Riddle.

1805.

James Anderson.
George North.
Daniel Collett.
Abraham Davenport.
Smith Slaughter.
Magnus Tate.
John Hunter.
Van Rutherford.
John Packett.
William Hancher.
George Porterfield.

1807.

Erasmus Gantt.
Jacob Weaver.
Philip Nadenbousch.
John Campbell.

1810.

William Mackey.
Joel Ward.
George Wolf.
Michael Rooney.
George Harris.
Joseph Baldwin.
William Pendleton.

1813.

James Faulkner.
James E. Throckmorton.
William Rush.

1815.

William Riddle.
James Faulkner.

1816.

Thomas Robinson.
Dougal Campbell.
Samuel Boyd.
Levi Henshaw.
William Gregory.
Jacob Weaver.
George Harris.
Jonathan Jones.
Elias Edmunds.

1818.

Edward Colston.
John S. Harrison.
William Morrison.
Edward A. Gibbs.
Benj. Comegys.
William Campbell.
Robert Snodgrass, Jr.

1820.

John Porterfield.
Israel Robinson.

1821.

Richard Cleggett.

1825.

Jacob Van Doren.
Silas Harlan.
Isaac S. Lauck.
William Grantham.

1832.

Daniel Burkhart.
Tillotson Fryatt.
Archibald Shaver.
Robert V. Snodgrass.
John Lamon.
Thomas Davis.
Francis Silver.

1834.

Philip C. Pendleton.
Conrad Hogmire.
Edward Winning.
Samuel Baker.
William L. Boak.
Alexander Pain.

1836.

Thomas S. Page.
Richard McSherry.
William Maslin.

1838.

Jacob Hamme
Stephen R. Snodgrass.
Robert K. Robinson.
Jacob Myers.
Daniel B. Morrison.

1841.

James M. Newkirk.
James H. Robinson.
Alfred Ross.
James L. Campbell

1843.

Lewis B. Willis.
John Sencendiver.

1847.

B. M. Kitchen.
Thomas J. Harley.
James L. Cunningham.
William Dorsey.
Daniel H. Doll.
John McKown.

1850.

Lewis Fry.
George W. Holida.
Andrew McCleary.

1852 to 1856.

John A. Vorhes.
George W. Holida.
Jacob Myers.
A. R. McQuilken.
A. W. McCleary.
James L. Cunningham.
Owen T. Hedges.
Charles Downs.
Thomas J. Harley.
Robert V. Snodgrass.
Richard Bodine.
Henry J. Seibert.
Robert K. Robinson.
B. M. Kitchen.
Lewis Grantham.
Philip Everhart.
Casper Stump.
Joseph D. Haven.
John McKown.
James L. Campbell.
Lewis Fry.
Alfred Ross.

D. S. Eichelberger.
John E. Boyd.
Alexander Newcomer.
Philip C. Pendleton.
Stephen R. Snodgrass.

1856 to 1860.

George Doll.
G. H. McClure.
B. Cushwa.
W. Dorsey.
Bernard Doll.
S. J. Williamson.
J. Hoffman.
F. D. Dollinger.
Isarel Robinson.
J. W. Hollis.
E. Showers.
Christian Tabler.
J. C. Rawlins.
J. L. Cunningham.
A. R. McQuilken.
J. R. Stewart.
T. J. Flagg.
W. H. Mong.
Joseph Stuckey.
C. Stump.
G. Doll.
M. H. Payne.
P. Everhart.
J. Q. A. Nadenbousch.
W. Leigh.
W. J. Hensell.
M. S. Grantham.
J. M. Newkirk.
I. E. Houser.
M. Lupton.
B. C. Speck.
P. T. Hedges.
W. D. North.
J. T. De Haven.
W. H. Mong.

R. K. Robinson.
A. Buckles.
H. J. Seibert.
R. Bodine.
J. G. Manor.
A. W. McCleary.

1860 to 1865.

R. Bodine.
H. J. Seibert.
A. R. McQuilken.
P. J. Musseter.
J. W. Hollis.
G. Doll.
B. F. Harrison.
J. L. De Haven.
J. Hoffman.
W. McKee.
M. S. Grantham.
C. Stuckey.
W. N. Riddle.
O. T. Hedges.
B. M. Kitchen.
J. H. Barnetts.
J. Q. A. Nadenbousch.
W. Sperow.
A. Myers.
R. Lamon.
J. W. Stewart.
C. Tabler.
J. M. Newkirk.
J. E. Brady.
T. Henshaw.
J. W. Kendrick.

1881 to 1885.

Charles Stuckey.
M. Tucker Bowen.
John D. Barney.
Joseph Hollis.
James Billmyer.
C. U. Thornburg.

William H. Mathews.
W. B. Colston.
G. M. Tabler.
G. R. Hollida.
George H. Ropp.
P. H. Thomas.
Jacob Syester.
William Light.

1885 to 1889.

Charles Stuckey.
M. T. Bowen.
John Myers.
James M. Billmyer.
Thornton Heashaw.
Robert C. Burkhart.
Charles P. Matthaeci.
William McKee.
G. W. M. Tabler.
G. W. D. Folk.
J. H. Alexander.
R. R. Coffenberger.
S. O. Cunningham.
Jacob F. Lemen.
Jacob Syester.
H. H. Cox.

1889 to 1893.

George W. Swimley.
S. S. Felker.
John H. McBride.
John Myers.
Robert P. Bryarly.
William McKee.
E. G. Bartlett.
W. H. Frankensberry.
W. H. Taylor.
R. R. Coffenberger.
B. W. Gyer.
G. C. Ditto.
D. W. Snyder.

SHERIFFS.

Adam Stephen, April 1, 1772; Samuel Washington, October 17, 1776; Cato Moore, August 31, 1793; James Wilson, August 29, 1795; John Kearsley, July, 1797; James Campbell, July 12, 1799; John Davenport, August 29, 1801; William Porterfield, July 23, 1803; Nicholas Orrick, July 27, 1807; John Turner, August 5, 1808; Andrew Waggoner, July 26, 1809;—second term, July 17, 1810;

James Stephenson, July 5, 1811;—second term, July 22, 1812; Charles Orrick, September 22, 1813;—second term, September 21, 1814; William Riddle, June 28, 1815;—second term, August 19, 1816; James Anderson, July 7, 1817;—second term, November 13, 1818; Magnus Tate, July 19, 1819;—second term, August 1, 1820; George Porterfield, July 20, 1821;—second term, August 23, 1822; Erasmus Gantt, July 30, 1823;—second term, September 17, 1824; Jacob Weaver, November 29, 1825;—second term, January 16, 1827; George Harris, December 6, 1827;—second term, December 15, 1828; Philip Nadenbousch, January 5, 1830;—second term, February 21, 1831; Joel Ward, January 30, 1832; George Wolff, 1834; Michael Rooney, March, 1836; A. S. Chambers, being coroner, was acting sheriff in 1838; Levi Henshaw, March, 1840; William Gregory, 1842; Edward Colston, January 9, 1844; Benjamin Comegys, January, 1846; Silas Harlan, 1848; Daniel Burkhart, 1850; Tillotson Fryatt, 1852; Jacob Van Doren, July 1, 1852; Barnett Cushwa, 1854;—second term, 1856; Daniel Lafevre, 1859;—second term, 1861; J. W. Pitzer, appointed, 1864;—elected, November, 1866; Andrew J. Thomas, 1871;—second term, January 1, 1873; M. C. Nadenbousch, January 1, 1877; George A. Chrisman, January 1, 1881; Robert Lamon, January 1, 1885; Charles H. Miller, January 1, 1889.

CLERKS OF COUNTY COURT.

William Drew, May 19, 1772; Moses Hunter, 1785 to 1797; Henry Bedinger, 1798 to 1803; David Hunter, 1803 to 1829; John Strother, 1829 to 1831; Harrison Waite, June 13, 1831, and Norman Miller, acting clerk; Jacob Van Doren, 1851; E. G. Alburtis, 1852 to 1858; James W. Robinson, 1858; Seamans Garrard, 1865 to 1870; Bernard Doll, January, 1871; C. W. Doll, 1873, still acceptably fills the position, 1889.

PROSECUTING ATTORNEYS.

Alexander White, May 19, 1772, appointed king's attorney for Berkeley County; Elisha Boyd; David H. Conrad; Edmund P. Hunter, died of cholera, September 7, 1854; John E. Norris, 1854 to 1856; George W. Murphy, till breaking out of war; Joseph T. Hoke, 1865; J. Nelson Wisner, H. H. Blackburn, Edmund Shaw, R. M. Price, Luther M. Shaffer, W. H. H. Flick, D. C. Westenhaver, P. A. Rohrbaugh, George W. Feidt.

CIRCUIT COURT JUDGES.

This court was established in 1809; the first judge was Hon. Robert White, and the first clerk Obed Waite. The judges succeeding were: William Brockenbrough, who acted *pro tem.*; John Scott, also *pro tem.*; Richard E. Parker; Isaac R. Douglas; Richard Parker, son of the former judge of the same name; John W. Kennedy, appointed; L. P. W. Balch, appointed in 1863; Ephraim B. Hall, 1865; Joseph Chapman, appointed 1868; E. B. Hall, elected in 1868, but failed to qualify; John Blair Hoge, 1872; Charles J. Faulkner, Jr., 1881, but resigned in 1887, being elected United States senator; Frank Beckwith appointed to fill unexpired term, and in January, 1889, the present incumbent, Joseph S. Duckwall, was elected.

CIRCUIT COURT CLERKS.

Obed Waite, April 24, 1809; John Strother, Israel Robinson, John Dunn, Joseph Burns, John Lanby; E. S. Troxell, appointed in 1866, and elected same year, serving till 1879, when the present incumbent, S. H. Martin, was elected.

SURVEYORS.

Robert Cockburn, 1772; Joseph Swearingen, 1787; David Hunter, 1796; John Turner, 1798; James Maxwell, 1811; same continued for many years; John P. Kearfott, until breaking out of the Civil war; David Pultz, 1866; John P. Kearfott, 1872; James W. Robinson, 1880; George W. Vanmetre; I. W. Woods.

CORONERS.

Robert Worthington, appointed May 19, 1772; David Shepherd; George North, July, 1800; William Riddle, 1801, continued for many years; George Wolf, October, 1821; William Riddle, 1826; Conrad Hogmire, April, 1830; Anthony S. Chambers, 1834, retained the position many years; Frank D. Staley, appointed in 1882, and is the present incumbent.

In addition to those mentioned in the foregoing lists, the following are the officials of the county at the present time: The three commissioners forming the county court of Berkeley are: B. M. Kitchen, president; William Kilmer and George P. Riner.

School commissioners are E. L. Hoffman, Samuel Gold, M. S. Grantham, George D. Miller, Joseph A. Morgau, R. C. Burkhart, R. P. Bryarly, R. W. Stewart, John Grozinger, Ed. Barton, N. H.

Snyder, Jacob Whitson, W. H. Wilen, W. Cost, W. H. Myers, D. H. Small, W. H. Kilmer, W. T. Cunningham, W. T. Siler, G. P. Riner, J. Kennedy, G. C. Ditto.

The local board of health consists of Dr. James W. McSherry, M. S. Grantham, E. L. Hoffman, the president of the county court and the prosecuting attorney. The parish physicians are: Drs. G. W. Swimbey, J. B. Wiley, S. N. Myers, G. B. Hedges, E. C. Williams, R. L. Grove, J. T. Harris, F. M. Davis, N. D. Baker.

Attorneys practicing at the bar: E. Boyd Faulkner, Blackburn Hughs, C. J. Faulkner, W. H. H. Flick, J. Nelson Wisner, George W. Feidt, M. T. Ingles, D. C. Westenhaver, Hugh A. White, Stuart W. Walker, A. C. Nadenbousch, U. S. Grant Pitzer, L. D. Gerhardt.

CHAPTER XV.

MODERN MARTINSBURG.

THE CHURCHES—WHICH WAS FIRST—EARLY HOUSES OF WORSHIP—TRINITY EPISCOPAL—FIRST PASTORS—SOME NOTED MINISTERS—ST. JOHN'S LUTHERAN—VISITING MINISTERS—REV. CHRISTIAN STREIT—OLD BELL—GERMAN REFORMED—JOINT WORSHIP—THE OLD GRAVESTONES—THE FIRST ORGAN—ST. JOSEPH'S CATHOLIC—THE FIRST MISSIONARIES—FRAMBACH, GALLITZIN, ZOCCHI—PRESENT PROSPERITY—METHODIST EPISCOPAL—METHODISM IN THE VALLEY—ITINERANT PREACHERS—METHODIST EPISCOPAL SOUTH—SPEEDY RECUPERATION—FAITHFUL WORKERS—FIRST PRESBYTERIAN—THE SCOTCH-IRISH—"OLD TUSCARORA"—FIRST BAPTIST—REV. DAVID GERRARD—LATE ORGANIZATION UNITED BRETHREN—ITS RECENT ESTABLISHMENT—A NEAT EDIFICE—COLORED CHURCHES—EDUCATIONAL—IMPROVEMENTS—FINE WATER SYSTEM—RAILROAD SHOPS—NEWSPAPERS—SOCIETIES—TORNADOS AND FLOODS—OTHER TOWNS OF BERKELEY.

TRINITY PROTESTANT EPISCOPAL CHURCH.—As stated elsewhere in this work, when Frederick County was created by act of the General Assembly of the Colony of Virginia, in 1738, a parish was constituted embracing the entire district and given the same name as the county. But in 1769, this large parish was subdivided into three, the upper being Beckford, the middle Frederick, and the lower—comprising the counties now known as Berkeley, Jefferson and Morgan—Norborne; so named in honor of Gov. Norborne Berkeley.

There were three chapels in this parish at a very early date, some contending, in fact, that the Episcopal, or rather, at that time, the Church of England, has the best claim to having built the first church edifice in the Valley, south of the Potomac. The reasons seem to be strong for this claim: the leading men who organized Frederick County were Church of England men, and it is very natural that they should have a house of worship shortly after the erection of a parish. Certain it is, from actual documentary evidence (the records of Frederick County), that there was a "Morgan's Chapel" and a "Cunningham's Chapel," before 1750. One of these was near Bunker Hill and the other about twelve miles southeast of Winchester. Hedgesville, also, lays claim to having a chapel at an early day. Not until after the Revolutionary war had Martinsburg a church of this denomination. Bishop Meade says, in his interesting and valuable work on "Old Churches and Old Families of Virginia," that this first church was erected chiefly at the cost and under the superintendence of Philip Pendleton, who was a devout Episcopalian, and a man of very liberal mind. The church stood at the entrance of the cemetery laid out by Gen. Adam Stephen, who had it established by law. About 1835 the old church began to be considered unfit for use. Its walls gave evidence of being unsafe and measures were taken to build another one, not upon its site, but nearer to the center of the population of the town. A lot being donated on King Street, an effort to raise the necessary funds was made, which, being successful, the building was put under construction about 1839. Not until 1843, however, was the structure finished, at which time it was consecrated by Bishop Meade, who was assisted by Revs. Alexander Jones and J. Chisholm, of Virginia, and Revs. James A. Berck and Theodore B. Lyman, of Maryland. In regard to the clergy of the parish there are many breaks in the succession. Whether their names have been forgotten, or whether there were no ministers in charge of the parish at those times, it is impossible now to determine. But it is altogether probable the latter is the correct solution.

Although Norborne parish was organized in 1769, no clergyman can be identified as its rector until 1771, when Rev. Daniel Sturgis was licensed for the parish by the bishop of London. He was succeeded in 1786 by Rev. Mr. Veasey, and he by Rev. Mr. Wilson. In 1795 Rev. Bernard Page became rector, who was, according to Bishop Meade, "deeply pious, zealous and far beyond the ministerial stand-

ard of the parish." Rev. Mr. Heath came next, who was minister till about 1800, when he died not far from that date. Rev. Emanuel Wilmer succeeded Mr. Heath, and was in charge of the parish about 1805-06-07. Rev. Mr. Price was rector from 1811 till 1813, and then there seems to have been a gap of several years in consequence of the War of 1812-14. In 1815 Rev. Benjamin Allen took charge of the parish. He is said to have been "a man of untiring energy and deep piety, and not unknown to the literary world. He published six volumes of poems, a history of the Reformation that ran through three editions; a history of the church and edited the *Christian Magazine*. He also edited, while in Martinsburg, the *Layman's Magazine*, the first religious paper ever published in the valley of the Shenandoah. He was the first to propose a division of the diocese, and the committee appointed to confer with the bishop and standing committee on this subject was Rev. Enoch Lowe, Edward Colston, and Robert Page. He died on ship-board coming from a foreign trip where he had sought a restoration of his shattered health. His successor was Rev. Thomas Horrel, in 1816, who remained three years. From 1819 rectors served in the following succession: Revs. Enoch Lowe, Edward R. Lippitt, 1823; John T. Brooke, 1826; James H. Tyng, 1830; William P. C. Johnson, 1832; Cyrus H. Jacobs, 1836; Charles C. Taliaffero, 1837; James Chisholm, 1842; D. Francis Sprigg, 1850; Richard T. Davis, 1855; W. D. Hanson, 1860; John W. Lea, 1875; Robert Douglas Roller, 1879; and Rev. Henry Thomas, the present pastor, 1888.

St. John's Lutheran Church.—The main facts in the following sketch are gleaned from a sermon delivered in 1876 by Rev. M. L. Culler: St. John's Lutheran is one of the oldest organized congregations in the valley, and was founded by German emigrants, who came from Pennsylvania and Maryland, the nucleus being formed here about 1776. A church record book, the joint property of the Lutheran and Reformed congregations (which worshiped in the same house until 1832) is still in existence, bearing the date 1779. The first record made therein is the baptism of Magdalena Frantz, February 25, 1779. Not until 1790 was there a resident pastor, but the Gospel was preached faithfully to the congregation, and the sacraments administered by ministers of the Lutheran Church, who visited them as often as possible, in connection with numerous other congregations scattered over four or five counties. Until a church building was obtained, these services were held in the houses of the members.

The first regular pastor of whom any certain knowledge remains was Rev. Christian Streit, a man of fine education and earnestly devoted to the work. In 1785 he took charge of a Lutheran congregation in Winchester, the field of his operations embracing a circuit of about fifty miles, including the present counties of Frederick, Clark, Jefferson and Berkeley. Rev. Mr. Streit was born in New Jersey and graduated at the University of Pennsylvania in 1771, where he studied theology under the instruction of Rev. Dr. Muhlenberg, the father of Rev. Peter Muhlenberg who threw off his gown and put on the uniform of a soldier at Woodstock in 1776. During the Revolution Mr. Streit was chaplain of the Third Virginia Regiment. While at Winchester he was, associated with Rev. Dr. Hill of the Presbyterian Church, in charge of the Female Seminary. He died March 10, 1812.

Succeeding Rev. Streit, and the first pastor who resided in Martinsburg, was Rev. John David Young, who took charge in 1790 and continued till 1800, and then after an absence of two years, returned and remained till his death, February 11, 1804. Rev. Freidrich Wilhelm Jazinsky filled the two years of absence of Rev. Young. Rev. John P. Ravenack became the second pastor, in 1808, continuing till 1814, when he resigned his pastorate, and entered commercial pursuits in Martinsburg. Rev. John Kachler, a very young man, became pastor in 1817 and continued till 1819, when Rev. C. P. Krauth, also a young man, took charge. This gentleman became one of the leading ministers of the church, being in 1834 elected president of the Pennsylvania College, and in 1850 professor of biblical and oriental literature in Gettysburg College, in which position he remained till his death in 1867. Rev. Jacob Medtart succeeded Dr. Krauth in 1827, and remained till 1835, when Rev. Reuben Weiser took charge till 1837. Then came Rev. Charles Martin, from 1837 to 1842; Rev. Samuel Sprecher in 1842, who resigned during his first year on account of ill health; Rev. Joseph A. Saiss, 1843 to 1845; Rev. John Winter, 1845 to 1847; Rev. C. P. Krauth, Jr., for one year till April 1, 1848, when he became pastor at Winchester; Rev. B. M. Schmucker, 1848 to 1852; Rev. Reuben A. Fink, in 1852; Rev. William Kopp, 1855 to 1857; Rev. Edwin Dorsey, 1858; Rev. Charles Martin, 1860 to spring of 1861, when his labors were cut short by the war. In 1866 Rev. J. S. Heilig became first post-bellum pastor, and remained till the summer of 1868, when Rev. M. L. Culler took charge, December

1, 1869, continuing till July 24, 1881. Rev. R. C. Holland came in 1881, and Rev. C. S. Trump in 1888, the present pastor.

The first church edifice was the common property of the Lutheran and Reformed congregations, and was built of logs. It was located on the corner of John and Church Streets, and purchased in 1786 from John Shartel, who had it almost finished as a tavern. It was under roof when it was purchased, the deed being made to Andrew Siling, Martin Riser, Christopher Wagner and John Smith. An organ was purchased, and a bell (the first church bell ever seen in Martinsburg) was brought from Hagerstown, Md. It was of cast-iron, and served its purpose well, hanging from the gable of the old log church, summoning worshipers to the house of God. In 1803 this old bell was replaced by one of bell-metal, weighing 313 pounds, and costing \$181.89. The first communion cup of which there is any knowledge preserved here, is still in existence. It bears the date 1791, and a myterious inscription—P. K* B. K. M. Its meaning is not known.

In 1815 a fund was raised jointly by the Lutherans and Reformers, amounting to \$3,059, for the purpose of building a new church for their general use, but the project failed. But at a council-meeting in 1829 the Lutherans resolved to build a church, which was consummated in a few years, but not until 1832 was it dedicated. Rev. Abraham Reck dedicated it. In 1854 the church was much improved. They purchased a new bell and sold their interest in the old one to the Reformers. During the Civil war the congregation was very much scattered. For about four years the building was used as a hospital, and it was very much injured. There were many differences in opinion among the membership at the close of the war, in regard to questions of politics, but they have nearly all died out. The government appropriated, in 1868, the sum of \$1,078 as compensation for injury done the building, and this sum together with \$500 additional raised by contributions, was used in repairing the edifice. They have a membership now of over 300 and a Sabbath-school with an attendance of nearly 300 scholars.

The German Reformed Church.—At an early day there was a large immigration into Pennsylvania from the Palatinate, Germany, and these immigrants in time sought other sections wherein to make their homes. Many of these came to the Valley of Virginia and, of course, brought their religion with them. Those who came to this

section at first had no regular pastors, and for many years were visited by both the German Reformed and Lutheran clergy. Having no church building services were held and sacrament administered at the dwelling of some member. In the year 1786 a log building was purchased in the town of Martinsburg by the Reformers and Lutherans jointly, where, on alternate Sundays, the two congregations worshiped. In the graveyard that surrounded the old church were buried many of the early pioneers of both the denominations named, and the grave-stones of those faithful old workers in the vineyard of the Lord can still be seen rearing their rude heads and pointing the way the souls of those underneath have gone. The church which was used jointly by the two congregations was found to be too small, and not well located for the increasing population; so in 1846 the Reformed congregation procured a more eligible location and erected a more commodious building on Burk Street, at a cost of \$5,000. The congregation that was at that time organized by a few persons, has now a membership of 250 and a Sunday-school of over 150 scholars. Some of the national prejudices and peculiarities of worship of the first members have yielded to the times. Services were formerly conducted in German, but they have long since been supplanted by the English.

Rude and unpretentious as the first church was, it was not regarded as complete without an organ and a bell. The latter was purchased, in conjunction with the Lutherans, in 1808, and, as has been stated in the sketch of the church named, was the first bell to be brought to this portion of the Valley. It was known as the "big bell" for many years. The organ, also, was the first instrument of the kind introduced here and was an object of great interest, many persons attending church at first for the purpose of hearing it.

After the organization of the congregation the first regular pastor was Rev. George Adam Geting, who was succeeded by Rev. Jonathan Rahausser; Lewis Mayer, from 1808 to 1820; Samuel Helfferstein, 1820 to 1824; Jacob Beecher, 1826 to 1831; Robert Douglas, 1834 to 1845; Daniel F. Bragonier, 1845 to 1860; William D. Lafevre, 1866 to 1869; Stephen K. Kremer, 1870 to 1874; John A. Hoffheims, 1875, the present pastor.

St. Joseph's Catholic Church.—There were undoubtedly Catholics among the early settlers of the Shenandoah Valley, but for over half a century after that settlement there was not a Catholic church in this whole region. The first missionaries who came through here

were from Frederick and Conewago, as well as from Baltimore. Fathers Frambach, Gallitzen and Zocchi rode a circuit of 200 miles before 1800, which extended to Cumberland and southward to Winchester. There is a tradition that French priests traveled through this valley during their occupation as early as 1730, doing work among the Indians. This tradition may arise from the fact that there were priests as chaplains with the forces that defeated Braddock in 1755, but none of that force ever reached the valley. In October, 1811, Rev. Father Cahill, then residing in Frederick, Md., was called upon to minister to the spiritual wants of the few Catholics in this county, and he came and held services in a private house. This was, doubtless, the first public Catholic service held in Martinsburg. After his visit the town became a mission, subject to the pastor in Frederick. From 1811 to 1830 the mission was visited at intervals by priests from Frederick and Hagerstown, Md., and from Harper's Ferry. Divine service was held at the residence of John Timmons, on Race Street, for the period of nineteen years. In 1830 the membership had increased to fifty, and during that year the pastor, Rev. Father Redmond, undertook the erection of a church. Liberal were the subscriptions of the few Catholics, and liberally were they assisted by Christians of other denominations, and soon the church was under way, but before its completion the pastor was called to Rome, Italy, where he died, much regretted by his spiritual children in Virginia. The church, however, was finished at a cost of \$4,000. The mission was now on a solid basis.

At this time Rev. Father J. B. Gilda was sent, who finished the church in a very short time considering the fewness of Catholics in this section at that time. He remained five years. Father Gilda was a priest of untiring energy, and peculiarly able in matters of building temples to the Lord. Besides completing the Martinsburg Church he erected St Peter's Church in Harper's Ferry and the magnificent St. Vincent de Paul's of Baltimore. In 1836 Rev. Vincent Wheelan took charge, remaining three years. While Father Wheelan was here, the province, in recognition of his piety, talents and administrative ability, sent his name to Rome as a suitable and worthy candidate for the new See of Wheeling. The Holy Father selected Father Wheelan, and he became the first Catholic bishop in western Virginia. His successor was Rev. J. O'Brien, who remained in the mission seven years, and during his pastorate the congregation

increased. In 1848 Rev. J. A. Plunkett was sent, who, observing that the building was too small, commenced the erection of the present parish church. The corner-stone of this beautiful and substantial edifice was laid in 1850, and two years afterward it was completed, costing about \$40,000.

When the diocese of Richmond was divided in 1850, Martinsburg and a few adjoining churches of Virginia in its western portion fell to the old diocese, and so remained until 1889, when an arrangement between the bishops being effected, sanctioned at Rome, Martinsburg became subject to the bishop of Wheeling, W. Va. Distinguished churchmen have at various times had charge of the church at Martinsburg, among whom were Bishops Wheelan, of Wheeling; Becker, of Wilmington, Del., and Kain, of Wheeling, each being located here several years.

St. Joseph's is at present and has been for some time in quite a flourishing condition. They have a membership of about 1,200, a Sunday-school of 250 children, and a large parochial school, with a force of competent instructors. Since the pastorate of the popular priest, Rev. J. McKeefry, many improvements have been added to the church edifice, notably the ornamentation of the steeple and several interior features.

Methodist Episcopal Church.—Methodism in the Lower Valley, after the organization of two or three of the other denominations, was undoubtedly very early. Two Methodist ministers passed up the Valley and stayed over Sunday at the house of Lewis Stephens at Stephensburg, about the commencement of the Revolution, and, as they came from Pennsylvania, necessarily passed through Berkeley County. Whether they came by the way of Martinsburg is not now known, but it is more than likely they came by Shepherdstown, and if so, as their mission was to preach at the settlements, they, of course, preached at Shepherdstown. There is a tradition that Bishop Francis Asbury came to Martinsburg from Loudoun County, Va., in 1782, and delivered a sermon here. At this date, 1782, Martinsburg was beginning to be a town of considerable importance, and if there were any ministers in this section, they, undoubtedly, held services here. Berkeley County was included in the first circuit established west of the Blue Ridge, and soon after a society was organized in Martinsburg, and it continued until 1861, at the breaking out of the Civil war. Societies were also organized at other points in this section, and in the adjoining counties.

A small log building on John Street was first used, but the members soon erected a stone church on the same street, south of the jail, which is still standing. Bells, to the early Methodists, and to many of them at the present time, were an abomination and a vanity not to be tolerated; so, the soft, persuasive notes of the tin horn were used to summon the worshipers to their house of devotion. Organs and a choir were equally tabooed, and nothing but the good old human voice was allowable in the sanctuary, but they have gotten bravely over these little peculiarities, and now have generally as fine music as any of their sister denominations.

The Methodist Episcopal, as contra-distinguished from the Methodist Episcopal Church South, was, as is well-known, opposed to slavery and were not exceedingly strong in the South. In fact, a division had occurred which gave rise to the slight variation in the titles. The society in this section, however, grew and flourished with the rapidity that accompanies Methodism everywhere, for the ministers of that church have the reputation of being great workers. In 1850 the Martinsburg congregation became an independent charge, known as Martinsburg Station, with no dependence upon any other society for aid, and Rev. Henry Furlong was appointed by the Baltimore conference to thoroughly organize and concentrate the forces and resources of the society, which he did with good effect, after which he was appointed the pastor in charge. From this time until the Civil war in 1861 the membership grew from less than 100 to over 200. Then came the war and with it the cessation of all services in many of the churches. The Methodists especially, from the fact of their known hostility to slavery, suspended their services not only here in Martinsburg, but in the county and throughout the State, as well. In 1863 owing to the almost uninterrupted occupation of the Federal forces, the church was re-organized throughout the county generally, by Rev. Dr. John Lanahan, presiding elder for the Virginia portion of the Baltimore conference. Dr. John M. Green was pastor in charge of the Martinsburg church at that time, and from thence forward Methodism has rapidly increased in every portion of the county, and especially at Martinsburg. The society here now numbers nearly 500 souls and the church property is valued at \$40,000. A large Sabbath-school is attached to the church. From a very small membership at the beginning of the war, and with two ministers in charge in the entire county, the society now runs up to possibly 1,500, and with

from five to six preachers. The present pastor here now is John Edwards.

Methodist Episcopal Church South.—Owing to the occupancy of the field by the Methodist Episcopal Church, the history of which has just been given, there is little to be said in regard to this other branch of Methodism, the church South. Most of the members of this denomination at the breaking out of the Civil war took sides with the South in the great struggle, and when that sanguinary conflict ended the most of the churches were in the hands of the "Northern side," as it is termed by some, and especially was this the case along the border. But notwithstanding these facts, the "Southern church" obtained a foothold once more and has since gained much in strength. With the tenacity proverbial among Methodists, just as soon as the war closed, the Southern ministers began holding services, sometimes in court-houses, sometimes in private houses, but they held them, even if it was in a barn, or out in the open. They had few church buildings, but they had a united will, and so, along about December, 1866, when the smoke of the cannon had scarcely disappeared from the battle-fields, Rev. David Shoaf and Rev. John A. Kearn began the reorganization of the scattered forces left after the flag of peace had once more been raised. Fifteen souls responded to the call and thus was once more a nucleus formed around which has since gathered a steadily increasing band of worshipers, until it now begins to compare quite favorably with many of the older congregations in numbers and work. They worshiped for nearly a year in a small school building on John Street, but in 1867 they had erected a very neat church building on German Street, at a cost of over \$3,500. This latter building, however, proved not to be commodious enough for the growth of the church. In 1884 an effort was made to raise funds for the purpose of building a larger edifice, and was crowned with such success that the foundation was laid the following year for a building on Martin Street, which was completed and dedicated October 2, 1887. It is a beautiful and well-arranged structure, and reflects much credit on those who had the matter in charge. The regular pastors in charge since 1869 were: Revs. J. L. Clark, Thomas B. Sargent, J. S. Maxwell, Wesley Hammond, Lewis C. Miller, Dr. John Poisal, P. B. Smith, O. C. Beall, J. H. Davidson, John Landstreet, J. R. Andrews. Rev. H. H. Kennedy is the pastor in charge at present. The membership is now about 225, and a Sunday-school attached has over 200 scholars.

Presbyterian Church.—Presbyterianism, or rather the possession of a building by that denomination in Martinsburg, was delayed to a comparatively late date, considering the fact that this is one of the first churches to plant itself in the valley after man's arrival here along about 1730 or 1740. But it was not because there were no Presbyterians in the town. There were, and bore a large proportion to the balance of the population. A number of the most prominent leaders among the pioneers of this section were what is known as Scotch-Irish—a term very much misunderstood. A Scotch-Irishman was simply an Irish Presbyterian living in the north of Ireland, who applied the term to himself to emphasize the fact that he was not a Catholic. One never heard of an Irish-Scotchman. At any rate those Scotch-Irish were a splendid and substantial portion of the early settlers of the Valley of Virginia. They brought with them their sturdy habits, their thrift and enterprise, and their probity of character. These are they who first set up their houses of worship. These are they who built "old Tuscarora"—that ruin of a venerable primitive temple—and in that old structure, possibly, one hundred and fifty years ago, they gathered to sing their psalms, and only psalms, for the early Presbyterians could not abide what we now call "hymns," and as for an organ and a choir—phew! The rafters would have fallen at the groans of reed or pipe. But those good old servitors of the Lord could pray with an unction and a meaning that we have almost lost in this "progressive" age. Now, as the church was not in Martinsburg, and it could not come here, the members, like Mohammed, went to it. And they got so used to going out to "Old Tuscarora" on Sunday morning that they forgot the fact, till about 1825, that it was possible for them to have a church nearer where they resided. They did the same thing for nearly fifty years at Winchester—every Presbyterian in the town going two miles and a half to "Old Opequon" church, near Kernstown, until some brilliant genius sprang the idea, "Why can't we have a church here?" Rev. Mr. Mathews, who had been serving the church at several points in Jefferson County for a number of years, came to Martinsburg to reside. The church edifice was built, or rather commenced to be built, not long after the organization began, but the exact date of its dedication is not now known to the writer. The ministers who have had charge of the church since 1830 are about as follows, as near as can now be conveniently ascertained: Revs. W. C. Mathews, Peyton

Harrison, John Bogg, William Love and R. L. Berry. After the resignation of Mr. Berry, a call was made to a number of ministers, who all declined, but in 1859 Rev. A. C. Hopkins accepted the invitation extended to him and after several months was installed pastor. Mr. Hopkins resigned in 1865, and the following year Rev. J. E. Hughs was installed. He died in 1868, and Rev. Dr. Riddle was invited and accepted, who remained till 1877, when his failing health necessitated his resignation. In 1879 the Rev. F. M. Woods, the popular and talented gentleman at present in charge, was called and accepted the position.

The Baptist Church.—For a reason or reasons that seem to be inexplicable, the Baptists, as a society, have made but little headway in the Valley of Virginia. They have very few churches on this side of the ridge. It is strange, when one considers the fact that they are very strong in the eastern portion of Virginia. It may be attributed to the fact that those who came here first had their religious beliefs settled permanently before they started from their homes in Pennsylvania, or Maryland, or New Jersey. The first settlers were either Episcopalians (Church of England adherents); Presbyterians, of Irish birth or descent; Lutherans or Reformed Calvinists, of German origin or descent, and a few Catholics. None of these came from the counties of Virginia on the east side of the Blue Ridge Mountains, or at least very few, and they were all Episcopalians. There being no Baptist seed sown, there could be no fruit. But in the course of the years, about 1800 and after, a stray germ was carried over the mountains and it took root and grew. The only exception to this general rule was at Gerrardstown, the founder of which was a Baptist minister, who induced a number of his friends, all Baptists, to settle at that now thriving locality. Farther up the Valley it quickened into flower earlier than in this county, for not until 1858 was there an organization of this denomination in Martinsburg. The membership at first was small, there not being over a dozen souls in all who attended as members the ministrations of the first pastor, Rev. J. W. Jones. This gentleman conducted services for nearly two years in an old stone building near the Episcopal Cemetery, but in 1859 a lot on King Street was purchased and preparations were made for the erection of a church edifice thereon, but the Civil war shortly afterward came on and a partial stop was put to the project. From that time till the close of hostilities the church organization barely had an existence, yet sermons and services

were occasionally held through the kind offers of two or three of the other denominations. In 1869 the building of the church was begun, but not until 1874 was it entirely finished, at which time it was dedicated, the dedicatory sermon being delivered by Rev. Dr. J. W. M. Williams, of Baltimore. The building is a very neat and substantial edifice and the membership is on the increase. Since the pastorate of Rev. Mr. Jones the following ministers have been located here in the work: Revs. W. S. Penick, P. P. Murray, A. E. Rogers, R. H. Pitt, and F. P. Robinson, the present pastor, who has given great satisfaction in his work whilst in Martinsburg, many having been added to the church.

United Brethren in Christ Church.—This denomination, like its sister of the Baptist faith, was long delayed in obtaining a foothold in this section, but not from the same causes which kept back the latter. The United Brethren Church is of comparatively recent organization. The first conference of the church was held just one hundred years ago, but it has grown mightily since then, and now can point to forty-eight conferences in the United States, and one each in Canada, Germany, and West Africa. It has fine newspapers and other journals, and schools and colleges in its interest. Education is receiving much attention of late years, but in the early days of the society, godliness, earnestness, industry, the gift of prayer and a good voice that had no uncertain sound, were considered as paramount to technical knowledge, hair-splitting theories, and a faculty for saying fine things. And, if one comes down to the gist of the matter, our humble old United Brethren preachers were not less than half right,—if not wholly so. The term “united brethren” is said to have originated with William Otterbein and Martin Boehm, at a meeting, where one of them spoke so effectually that when he was through the other embraced him, saying, “we are united brethren,” there having been a difference of opinion between the two old worshipers. The first conference of Virginia was organized in 1858, and a great falling off occurred during the war, but in West Virginia alone there are now nearly 8,000 members, thirty-six charges or stations, and three presiding-elders. The church in Martinsburg was organized in 1856, and a building for their use was completed the following year, but the structure was injured very much during the late war. They have, however, repaired their house of worship, and are now flourishing with the balance of the denominations. Rev. J. R. Ridenour is in

charge at the present time. The church government of the United Brethren in Christ is very similar to that of the Methodists, they changing their ministers yearly, if the conference deems it fitting to do so.

The Colored Churches.—There are two colored societies in Martinsburg: Mount Zion Methodist Episcopal and Dudley Chapel Free-Will Baptist. The first was organized in 1866 with eighteen members, and they now have over 100, and a fine brick church on Martin Street; the other church was instituted by Miss Dudley, a philanthropic lady from the North. The building was erected in 1868, at a cost of about \$8,000, the funds being collected by Miss Dudley.

Educational.—From a report of Prof. J. A. Cox is gleaned the following in regard to the Martinsburg schools: "The public schools of Martinsburg were organized in 1865. A part of the old Kroezen property, near the center of the town, was purchased for the purpose of opening a graded school. About 500 pupils, taught by a corps of eight teachers, were accommodated in this building. As the population increased new houses were erected, until we now have four substantial ward school buildings, three of brick and one of stone; a neat brick building for the colored school; and the high school, a two-story brick edifice, erected in 1884, pleasantly located, and furnished with heating apparatus, and all other modern improvements. The enrollment, in the city schools, is over 1,200. * * * * *

We employ in all twenty-two teachers, twenty white, two colored. Martinsburg has every reason to feel proud of her most excellent public school system, and every reason to expect even more rapid advancement in the future, in the cause of education, than she ever experienced in the past."

The schools of the county are in equally as flourishing condition, and under the management of Supt. Dodd are doing a work that cannot fail to be of lasting good to the county. There is in Martinsburg a parochial school in charge of Sisters of Charity from Emmettsburg, under the pastoral care of Father McKeefry, of St. Joseph's Catholic Church. There are also two fine classical private schools under the direction of ladies in Martinsburg, which afford excellent facilities for those who do not wish to send their children to the public schools. No better advantages can be offered for an education than Martinsburg affords.

Public and Private Enterprises.—The city of Martinsburg is well

supplied with the finest water, and those who have gotten used to it wonder now how they did without it so long. From the abundant and pure spring known as "Boiling Spring," one of the largest in this valley of large and famous springs, a supply of water is brought in pipes to the works that is practically inexhaustible. The spring known as the Town or Stephen's Spring, and originally as "Morgan's Spring," which latter title so puzzled those who have had occasion to examine the old records, and which was used in former times by the thrifty housewife to do her week's washing in, before the trustees of 1813 stopped it, was the main source of water supply, but now water is brought to their kitchen doors without their effort. In 1873 the city council decided to adopt a system by which the spring named above could better be utilized, so they passed an act in relation thereto, but submitted it to the people by ballot. It was carried, and the Holly system was selected. The work was completed in January, 1874. Considerable opposition was manifested by some of the older citizens, who did not wish to be taxed for a convenience they could use but a short time at best. They thought not of those who were to come after them. The cost was about \$90,000, and the tax has never been felt. There are over 600 service pipes, and the supply is quite sufficient for any fire that may occur in the city. Ordinarily enough power is furnished by water to supply the demand, but there is a fine engine always ready in case of an emergency. In 1873 gas was introduced into the city, a number of the trenches dug for the water mains being used to carry the gas mains as well.

There are two banks, both of which are on excellent footing: The First National Bank was organized in 1865, with a capital stock of \$50,000, but it has now a capital stock of \$400,000. The People's National Bank was organized in 1873, with a capital stock of \$12,000. It was originally conducted as a bank of deposit, but shortly afterward was reorganized upon its present basis. In 1888 it was designated as a depository of the United States. An excellent fire department was organized in 1870, the company forming the department having an improved Silsby rotary steam engine, which has proven itself to be all that is required in Martinsburg to conquer any ordinary conflagration, taken in connection with the splendid water system. Towns with one good fire company have less fires than towns with two and three. This seems to have an illustration not far away. The Farmers' & Mechanics' Mutual Insurance Company was organized

in 1877, and competes fairly with any of the larger companies of the East. It deserves home patronage, for its standing financially can be known to all. There are several building and loan associations, all of which are doing much good to the poorer and houseless worker.

The Baltimore & Ohio Railroad has its immense shops in Martinsburg. Hundreds of families have subsisted for years on the earnings supplied by work of this great system. The numbers of trains passing this point daily enlivens the old town wonderfully, giving it the appearance more of a city of 50,000 than 8,000 population. The Cumberland Valley extension of the great Pennsylvania system has been running to Martinsburg for many years, but during the present year (1889) a still further extension has been completed to Winchester, which furnishes the town with a direct north, south, east, and west road, two of the directions controlled by the Baltimore & Ohio and two by the Pennsylvania—two of the most powerful and at the same time antagonistic systems of the country. The latter fact insures competition, and as per consequence—low rates. Fine turnpikes and other roads traverse the county of Berkeley in every direction, thereby affording facilities to the farmer for conveying easily his products to the railroads for shipment.

There are three very excellent newspapers published in Martinsburg, one at Gerrardstown, and two or three other religious, semi-religious and class papers. The first four wield the influence, and are accepted as "the mirrors of the time" of the county. They are all well conducted and ably edited, and have better offices and do better work than the average country newspaper. The *Independent*, a strictly Republican journal, is edited with marked ability by Mr. J. Nelson Wisner, assisted by Mr. U. S. Grant Pitzer; the *Statesman*, a staunch Democratic newspaper, is edited and conducted with enterprise and a strict adherence to Jeffersonian principles by Messrs. Westenhaver & Boyer; the *Herald*, the last to enter the field at the county seat, is edited and managed by Mr. John T. Reily, an excellent newspaper man of experience and skill not only in the use of his pen but of his type and presses; the *Herald* is Republican. The *Gerrardstown Times* was started in 1870 by Mr. J. B. Morgan and has been ably and carefully conducted and edited; politics, neutral. In regard to the ante bellum papers, from the spring of 1798 to 1861, the extracts from those papers give sufficient of their history for the purposes of this work.

Fraternities and Societies.—Martinsburg has for almost one hundred years been foremost in Masonic and other fraternal and social orders. As far back as 1812, Masonic notices are found in the old newspapers, and there was doubtless a lodge here during the Revolutionary period, for Gen. Adam Stephen, Gen. Darke, Gen. Gates, Samuel Washington, Thomas Bryan Martin, the Colstons and other prominent men were Masons. Winchester had a lodge in 1769, and there can be but little doubt that there was a lodge established here soon afterward. At present the fraternity is represented by symbolic, capitular, cryptic, martial and appendant Masonry, and the ranks are filled up by the best citizens.

Equality Lodge No. 44, A. F. & A. M., is the oldest organization in Martinsburg. Just when the charter was granted can not now be given. They have one of the finest halls in the State, and their membership is about 100.

Robert White Lodge No. 67, A. F. & A. M., was instituted in 1875. They meet in Grantham hall.

Berkeley Consistory No. 21, A. S. R., meets in Equality Lodge No. 44, the third Tuesday in each month.

Lebanon Royal Arch Chapter No. 2, was instituted by dispensation in 1847. The name was originally Mount Horeb, and the number 17, which was changed the year following the institution by dispensation.

Palestine Commandery No. 2, Knights Templar, was granted a dispensation in 1850. The regular conclaves are held on the first Monday night of each month, in Grantham hall.

Tuscarora Lodge No. 24, I. O. O. F., came into existence through the lapsing of Maffitt Lodge No. 21, which was organized sometime about 1840 or 1842. Another lodge, Marengo No. 109, sprang into existence also, shortly after the organization of Tuscarora, and they both acted under Virginia Grand Lodge charters till 1861, when the members became scattered and everything lost that belonged to the lodge. In 1865 Tuscarora was revived and received its present number.

Washington Lodge No. 1, K. of P., meets every Thursday night in People's Bank Building.

Horeb Encampment No. 12, I. O. O. F., meets in Tuscarora Lodge, second and fourth Tuesday nights of each month.

Lincoln Post No. 1, G. A. R., meets in their hall corner Queen and Burk Streets, Thursday evenings.

Valley Lodge K. of H., meets second and fourth Friday of each month.

Bethany Lodge No. 7, D. of R., have quite a numerous lodge and in good working order.

Prosperity Lodge No. 29, I. O. G. T., meets Monday evenings.

Franklin Assembly K. of L. meets Saturday nights in G. A. R. hall.

Key Council, Royal Arcanum, meet first and third Friday nights in the G. A. R. Hall.

Local Branch, No. 29, O. I. H., meets second and fourth Thursday nights in K. of H. Hall.

Berkeley Lodge, Order of Tonti, meets first and third Thursday nights in K. of P. Hall.

Federal Lodge, No. 152, K. of W. meets second Tuesday in each month, in Peoples' Bank Building.

Mount Pisgah Lodge No. 3, A. Y. M., meets Thursday nights on South College Street.

There are two more than ordinarily good bands in Martinsburg, one of which has no equal outside of the larger cities, and very few equal in those same cities.

In the country districts there are five granges of P. of H.: Pomona Grange, located in Martinsburg; Cherry Grove Grange, in Opequon District; Tuscarora Grange, in Hedgesville; Swan Pond Grange, in Opequon, and Mill Creek Grange, in Gerrardstown District.

Towns and Villages.—Gerrardstown is next to Martinsburg in size and importance in Berkeley County. It was established by a Baptist minister named David Gerrard, who came to this section at an early day. He laid it off in 1787 into one hundred equal lots, and William Henshaw, James Haw, John Gray, Gilbert McKewen, and Robert Allen were appointed trustees of the village. It has a population of about 260, and is situated on Mill Creek not far from the North Mountain, eleven miles southwest of Martinsburg. It is an old settlement and there were very good business houses—stores—at the beginning of this century, and they had the enterprise to advertise their wares in the newspaper published at the county seat in 1810 and before. There are at present four stores and a number of other enterprises, including a tannery. Four churches furnish spiritual food for the citizens: Presbyterian, Lutheran, Methodist Episcopal, and Methodist Episcopal South. There are two fine schools, one primary

and one of a higher grade. The town was at first called Middletown, but in consequence of there being another Middletown in Frederick County not far off, the name was abandoned for its present title.

Darkesville, named in honor of Gen. William Darke, the gallant Revolutionary soldier, who was one of the magistrates of Berkeley County, is situated near the junction of the Winchester and Martinsburg turnpike with Mill Creek. It has never made much headway, but it is possible that the completion of the new railroad will give it an onward impulse. It is surrounded by finely cultivated farms. It was sometimes called Bucklestown, after Gen. Buckles, who resided there.

Hedgesville is one of the oldest settlements in the valley of Virginia, for the name Hedges in a matter of several land transfers in Frederick County occurs as early as 1743. The original Hedges in these parts came, undoubtedly, with the first tide of emigration, and have always been among the leading citizens of the county. One of the oldest church buildings in the valley is claimed by Hedgesville, and although the town was not formally established till 1830, or thereabouts, there has been a settlement there for over 125 years. It is located in a gap of the North Mountain, seven miles north by west of Martinsburg and a mile from the Baltimore & Ohio station, known as North Mountain Station.

Ganotown, originally called Jamestown, is, also, an old settlement, as an advertisement of a store or two in that place occurs in the Martinsburg *Gazette* at the beginning of this century. Just when it became to be known distinctively as a village doth not appear. There is in the hamlet a very pretty and comfortable Methodist church.

Bunker Hill although not containing much population made, or rather had made, a history for itself during the Civil war that has given it almost as much notoriety as its Boston namesake. It is on, or near, or both, the turnpike where Mill Creek strikes that thoroughfare. There is one of the oldest churches in the valley at this point, or rather the site of the old church, for the original passed away nearly 100 years ago. The old one was an Episcopalian chapel, where the present one now stands, and there is, also, a Methodist Church.

Shanghai is the euphonious title of a village situated one mile west of Back Creek. In addition to a number of minor business enterprises, there is a stock company known as the Shanghai Manufacturing Association, which manufactures lumber, grinds bark, pre-

pires sumac, etc. They have a Presbyterian Church and a public school.

Falling Waters gained quite a reputation during the late war, it being a principal crossing for the armies. It claims to have had one of the earliest churches in the valley. It is quite a thriving little station on the Cumberland Valley Extension Railroad. Among the series of appalling disasters in May, 1889, Falling Waters can claim its place. One of the most terrific storms of wind and rain struck that locality, and literally swept everything before it. One life was lost and several persons injured. Through a piece of timber the resistless cyclone cut a swath as clean as a scythe would in the wheat-field, and where it struck the Potomac it lifted the waters upward and before it till the rocks at the bottom were plainly visible. Consternation prevailed for some time in the little settlement and much suffering has been caused by the awful visitation.

There are a number of other small villages, such as Bedington, on the Cumberland Valley Railroad, a noted place of resort during the summer season; Jones Spring, west of Back Creek, which has a United Brethren in Christ Church, a store or two and a blacksmith and wagon shop; Little Georgetown, greatly in favor as a fine point for piscatorial sports, on the glorious Potomac, and containing a school and all other accompaniments of comfort and civilization; Tomahawk, south of Hedgesville; North Mountain, a station on the Baltimore & Ohio Railroad; Soho, twelve or fifteen miles northwest of Martinsburg; Glengary, about fifteen miles southwest of the county-seat, and several others, too numerous and too diminutive to mention.

Two events of much local importance occurred, the one in May and the other about two weeks afterward, in Martinsburg, in 1889. The first was the terrific rainfall of May, when on the fateful Friday the city of Johnstown, Penn., was almost wiped out of existence by the bursting of a reservoir. On this same Friday night the Tuscarora Creek, which passes through Martinsburg, became so swollen as to overflow its banks. It swept away almost all the bridges in the lower portion of the county, and inundated hundreds of fields and gardens, destroying the growing crops. In the town several residences were almost ruined, and thousands of dollars worth of timber and other movable stuff, fences, outhouses and farming implements in course of construction at a factory, were carried away or rendered worthless

or useless for their original purpose. The second calamity, about two weeks after the first, was a terrific hailstorm, pronounced by old residents the severest known to them. A great deal of wheat, corn and vegetables were literally cut to pieces or ruined otherwise. Thousands of dollars were again lost by this second visitation of the enraged elements.

A number of other matters more nearly connected with the war period, in regard to Martinsburg and Berkeley County, will be found in the closing chapters of this work, wherein the Civil war is treated upon separately.

CHAPTER XVI.

SOME EARLY SETTLERS OF JEFFERSON.

BEFORE THE CREATION OF JEFFERSON COUNTY—STANDING OF HER EARLY SETTLERS—LEADING NAMES—THE WASHINGTONS—THE RUTHERFORDS—THE MORGANS—THE SWEARINGENS—THE HITES, BEDINGERS, LUCASES, SHEPHERDS, BRISCOES, SMITHS, PORTERFIELDS, DAVENPORTS, MASON'S, LEMONS, LEES, BAYLORS, AND OTHERS—FIRST SETTLEMENT IN THE VALLEY—THE OLD PACKHORSE FORD—THE GREAT INDIAN HIGHWAY—THE BEAUTIFUL POTOMAC—THE GERMANS—DATE OF THEIR ARRIVAL—SPLENDOR OF SCENERY—THE EAST VIRGINIA SETTLERS—THE CAVALIER STOCK—"COURAGE, COURTESY, AND HOSPITALITY"—WHY THE JEFFERSONIANS MAKE GOOD SOLDIERS—THE FAMOUS "MORGAN SPRING" COMPANY—CAPTAIN HUGH STEPHENSON—DESCRIPTION OF THE COMPANY AND ITS START—INTERESTING NEW FACTS ABOUT GENERALS LEE, GATES AND STEPHEN—THEIR RESIDENCES—GATES' LETTER—SOME ERRORS CORRECTED—WAS LEE A TRAITOR?—WAS CHARLES LEE THE AUTHOR OF THE "JUNIUS" LETTERS?—REMARKABLE COINCIDENCE.

ALTHOUGH about seventy-five years had elapsed from the date of the first settlement of the lower portion of the great valley of Virginia, and although that first settlement was made within her present limits, yet the county of Jefferson had no existence by name until the year 1801. First being a portion of the indefinite outskirts of one of the eastern Virginia counties, then, in 1720, claimed as a part of Spottsylvania, and held as such till 1734, when Orange County was created; continued as such till 1738, when Frederick was cut off from Orange; remaining with the latter county till 1772, when

Frederick was divided into three parts: Dunmore (Shenandoah), Warren, and a portion of Page, being the southern third; Frederick and Clarke the central, and Berkeley, Jefferson and Morgan, the lower, or northern division, being known respectively as Shenandoah, Frederick and Berkeley Counties. In 1801, however, the population had so increased, and the distances had grown so long, in consequence of the improved and improving ideas of comfort and convenience, prompted by the march of civilization, that application was made to the General Assembly of the commonwealth for the cutting off and erecting another county out of the plentiful substance of Berkeley, which reasonable desire was accorded, and the fledgeling was launched forth and named Jefferson, in honor of the illustrious statesman who was then president of the great republic, in whose behoof he had done so much.

Yet notwithstanding the fact of the late creation of Jefferson County, distinctively as such, she had, from the very first entrance of the white man into the Valley, her full proportion of the intellect and courage of the early settlers. Among her citizens were some of the most noted men of their day. The first sheriff, appointed in 1743, at the first session of the first court ever held in the valley of Virginia, or west of the Blue Ridge Mountains, for that matter, was Thomas Rutherford, the father of Robert Rutherford, who represented this district in Congress several times, who was a resident of what is now Jefferson County. Two or three of the leading justices of the first commission of the peace were from this section, and the ancestors of many of those who became famous in the various branches of the professions and in war resided in the northern third of the vast county of Frederick. Here originated the numerous families of Washingtons, the Morgans, the Swearingens, the Lucases, the Bedingers, the Shepherds, the Davenports, the Porterfields, the Bayers, the Moores, the Lees, the Hunters, the Whites, the Masons, the Helms, one branch of the Hites, the Lemons, the Mercers, the Briscoes, the Rutherfords, the Smiths, the Worthingtons, and numbers of other prominent families. Here also resided at one time five generals of the Revolutionary army: Charles Lee, Horatio Gates, William Darke, Adam Stephen and Robert Buckles. And greater than all these, was an humble resident of Shepherdstown, James Rumsey, the undoubted inventor of the steamboat, as will be shown conclusively in another chapter of this work.

Jefferson County has the honor, beyond all peradventure, of being the seat of the first settlements of the white man in the great valley

stretching its fertile hills and dales from the Potomac southward for over one hundred miles. Undoubtedly the first white man who built a cabin south of the Potomac, did so upon the spot where now stands the ancient and pleasant little village of Shepherdstown. In addition to the existence of grants still preserved in several families, dating back to as far as 1729, the fact is apparent for many reasons that here were the first settlements. At the date named, and for many years thereafter, the old ford about a mile below Shepherdstown, known a hundred years ago as the "Old Packhorse Ford," was the only crossing of the Potomac River for many miles east and west of it. Ferries there were none, and, of course, no bridges; and persons seeking the valley country were compelled to cross at the old ford. Now, all emigration to this section came down through Pennsylvania and Maryland, and that being the case they landed on the Virginia side, near the famous spot where the Corn Exchange regiment was so badly used up on the morning of the 19th of September, 1862. Supposing those emigrants from Pennsylvania to be in search of lands whereon to settle, and supposing the lands of the valley from the Potomac to what is now the upper line of Shenandoah County to have been open to settlement, but not a settler upon them, what would be the result? Would it not be entirely natural for them to seize upon the beautiful land that lay before them, rather than go thirty-five miles farther south, to poorer land, and into the heart of the Indian settlements? Yet, this latter supposition was advanced many years ago, and has become the accepted view of the matter. Why a settler of the period spoken of should, after a long journey in search of a spot upon which to build his cabin and make a home, pass over as good land as there is on the surface of the earth, is a mystery. But it never happened that way. Here was a beautiful river with a stretch of placid stream extending several miles with scarcely a ripple, filled with fine fish, and the scenery along its banks grand and lovely beyond description; numbers of excellent springs, with timber and the best building stone in abundance. And the ford itself was sufficient inducement to settle near it, for in case of Indian incursions it offered a means of escape into the settlements over in Pennsylvania. Oh, no; the pioneer of the great valley of Virginia did not settle five miles south of where now stands Winchester: he knew better. The first white persons who entered the gateway at Shepherdstown after the knightly Spottswood and his company of gay cavaliers and

retainers rode to the apex of Swift Run Gap in 1716, and drank in the grand scene that opened upon their astonished gaze, were Germans from Pennsylvania: thrifty husbandmen, skilled workmen in the various trades, hardy and industrious. They built them a village and called it New Mecklenburg, in honor of, possibly, their native city in *Vaterland*, and their names are here to-day, some of the representatives having filled in years past the most prominent positions within the gift of their fellow-citizens, whilst at the present time many are filling with ability various responsible positions in public and private life.

And the old ford itself, that was the means of inducing or securing settlements near it, deserves a passing notice. Very few persons realize the importance, or appreciate the great utility, that this natural highway has proven in the past, before the days of ferries and bridges. How long it has been used is a matter of conjecture. It was the "bridge," so to speak, upon the great Indian highway running north and south, and along its path what thousands upon thousands of the aborigines must have passed! Here, at this old ford, on both sides of the river, have occurred some of the bloodiest battles between hostile tribes, as the number of arrow-heads and other Indian relics attest. Here, too, doubtless marched the myriads of warriors of that mysterious race which has left not a trace of its language or history—whose antiquity is so great as to constitute them a lost race in reality, far more effectually lost than the Assyrian or Babylonian, for they have left monuments and inscriptions—the Mound Builders. Along this ford, in all probability, rushed the great foe of the Indian, as he pushed him back to the Atlantic, where he, the Indian, reaching his last resort, in turn rallied and drove his conqueror westward. The feet of human beings who lived thousands of years ago doubtless trod our humble ford, as well as the gallant boys in gray and blue from 1861 to 1865.

The date of the arrival of these German pioneers of the Valley has been variously put. There is nothing of record, so far as is known, by which the exact time may be ascertained, but it is evident that they were here some time before 1730. As early as 1725 has been surmised, but 1727, or thereabout, is more likely to have been the date. That they came before 1729 is pretty surely known, for in that year a number of grants were issued by Gov. Gooch, and had the settlers come in after these grants were issued, they would, doubt-

less, have gone a little farther along, where land was apparently free. But they were "squatters," afterward buying from Richard Morgan and Thomas Shepherd, one of whom had an original grant. These grants are not recorded in the Valley, and are, therefore, not easy of access. There was no organized government west of the Blue Mountains, as they were originally called, and no court nearer than Spottsylvania Court-house, and this fact of course, accounts for any lack of knowledge in regard to these early settlers, by means of records.

The country entered by these enterprising people was found to be a land of milk and honey, and they prospered accordingly. The scenery was magnificent, and those who stretched out toward the Great Falls, now known as Harper's Ferry, were no doubt amazed at the splendor of the mountains and the rivers. With one grand river flowing the entire length of the section on the north, and another large river and a chain of lofty mountains on the east, what more could be desired after the fertility of the soil was ascertained, and the healthfulness and salubrity of the climate became assured? At that early day and to the present time, Jefferson County has had no superior for richness of soil and desirability as a home.

In addition to the settlers who came down through Pennsylvania and Maryland to Jefferson County, and located along the Potomac River from Harper's Ferry (or as it was then known, the Great Falls), westward on that stream, there was a tide of immigration from Eastern Virginia. Numbers of the old families, descended from the gentry who came over from the mother country early in the seventeenth century—people of mark and standing—sold out their property in the poor lands of the tide-water region, and obtained large tracts of land from Lord Fairfax, in some cases at merely nominal prices. This influx of some of the best material in the Old Dominion: the cavalier stock who were always true to "King and Merrie England" in the days of the unhappy Charles, and when loyalty was better than straightlaced Cromwellism, but who, when America raised the standard of independence, were first to flock to the banner of liberty, and first to lay down their "lives, their fortunes and their sacred honor" in that cause; these gently-nurtured settlers, who left, in most cases, luxurious homes "across the Ridge" to begin again the founding of a new State, as it were, have impressed upon their descendants, traits that obtain to this day, in as full force as they did one hundred and fifty

years ago. "Courage, courtesy and hospitality," those triune virtues of the age of chivalry, is not a myth in old Jefferson. The number of soldiers furnished in the Revolution of 1776, and the conspicuous gallantry and ability of the officers and men alike is known to all. And in the Civil war, Jefferson was famous for her hard-riding troopers—the dash of her splendid cavalry, and the endurance, the patience and the self-sacrificing spirit of all classes alike. Numbers of her leaders, many of whom still survive, have had no superiors and few peers in any army, ancient or modern. Some of those gray-haired veterans may be seen daily, riding into the towns as erect on their horses as ever, and some may be seen attending to the avocations of civil life, with as much *nonchalance* as though they had never heard of war, or were not immortalized in the histories of their country. This immigration from Eastern Virginia began about 1760, many families coming before that time. Lawrence Washington, as shown by the records of 1743 to 1750, purchased from Fairfax a large number of tracts of land, and from other parties as well. He did not reside in the Valley, but it laid the foundation for the various branches of the Washington family. Samuel Washington and Charles Washington, brothers of the illustrious general, moved to Jefferson, or rather to Frederick County. Samuel was a conspicuous member of the court of justices, lieutenant of the county, and lieutenant-colonel of the militia; also one of the first justices of the peace at the organization of the county of Berkeley. Charles was the founder of Charlestown and a liberal-hearted citizen.

By the opening of hostilities in 1775 Jefferson had increased considerably in population, almost entirely from east of the Blue Ridge Mountains, and after the struggle was over in 1781, a still greater tide of settlers came in from the same section, the rich lands of this county being the predominating inducement. In the very early years after the creation of Frederick county (1743) comparatively few had come from across the mountains, as there were no good roads, none in reality save narrow trails, impassable except to the Indian and the hunter, and this was the leading reason, doubtless, that operated in this instance against the popular theory that "westward the star of empire takes its way." The tide from the north, principally Germans and Irish, after a few years went further south: to localities beyond Winchester, to what is now Shenandoah, and still farther along. In this second tide went the wealthy and enterprising German, Jost Hite,

with his three sons-in-law, Bowman, Chrisman and Froman, and a number of other families, who settled about five to ten miles above Winchester on the Opequon and Cedar Creek, and whose descendants are still to be found near where their ancestors located about 1732-33. Considerable having already been said in another portion of this work about the early settlers of this section, the foregoing is deemed sufficient.

In another portion of this work some account has been given of the soldiers of the Valley in the Revolution: the promptitude with which they sprang from civil life into soldiers of daring, and the gallant manner in which they demeaned themselves on all occasions. Morgan and his riflemen have been, as far as the writer is able, accorded the praise so justly due that extraordinary general, and from an eye-witness, almost, have been given descriptions of the company he started with from Winchester, encamping the first night at a spring near Shepherdstown. There were two companies that went from the Valley to Boston to the army of Washington, and some pleasant controversy has been indulged in by the adherents of each as to which company started first, and which reached the seat of war first. In this laudable and good-natured contest as to whose ancestors is due the meed of praise for first springing to arms in defense of the general weal, and of first endeavoring to fling out the banner of liberty in the common cause, there have been brought forward proofs upon both sides. Frederick County claims that Daniel Morgan started first and landed in the camp of Washington first. Berkeley and Jefferson (at the time, one county), claims that Hugh Stephenson started and landed first with his company. But to narrow it down, Winchester and Shepherdstown are the particular localities where there is more heard from the advocates of the two heroes, for Martinsburg and Charlestown were small villages in 1775 as compared to the towns named. The Winchester case has been stated, and it would be rank injustice to withhold the Shepherdstown plea, especially as the latter seems to have certain points of evidence that are extremely conclusive.

On the 2d of September, 1858, a grand "civic and military barbeque" was held at Morgan's Spring, and numerous speeches were delivered. The opening address was made by Hon. Alex. R. Boteler, who greeted the assembly with such words of welcome as friendship prompts and courtesy demands. He was followed by Hon. Charles James Faulkner, in an eloquent oration, after which Hon. Andrew

Hunter delighted the crowd with an impromptu intellectual treat, "which was so highly appetizing," says our informant, that when he concluded he left his listeners, like Oliver Twist, asking for "more." The oratorical abilities of the three distinguished gentlemen named are so well known that mere ordinary praise falls flat. Two of them have passed to their reward, and the third, now far advanced in life, stands a representative of the old regime, a gentleman of the old school, a compeer of the great men of his time, and one whose character is, and always has been, *sans reproche*. From a little pamphlet written by and printed for Col. Boteler, more for private than public circulation, in 1860, entitled, "My Ride to the Barbecue," the writer has been permitted to make the following extracts, which are so interesting and cover the points intended so nicely that further "defence" of the Jefferson County company could not be desired:

"It seems that when the momentous drama of the Revolution was about to begin, and the heart of Virginia was throbbing in responsive unison with the eloquence of Patrick Henry, whose memorable words, 'We must *fight*—I repeat it, sir, we *must* fight!' leaped like 'live thunder' through the land, nowhere within the borders of the good old commonwealth was there a more prompt and determined response to the fervid appeal of the 'forest-born Demosthenes' than the patriotic citizens of Shepherdstown and its vicinity, where a company of riflemen, consisting of more than a hundred men, was immediately raised 'for the protection of American liberty.' The officers of this celebrated corps were: Hugh Stephenson, captain; Abraham Shepherd, first lieutenant; ——— Pendleton, second lieutenant, and ——— Scott, third lieutenant; William Pyle was appointed ensign and Henry Bedinger sergeant. Their banner was emblazoned with the device of the 'Culpepper minute men'—*a coiled rattlesnake* ready to strike, and the significant motto, '*Don't tread on me.*' For their uniform, they adopted home-spun hunting-shirts, made of tow linen (fringed around the neck and down the front), leather leggings and moccasins. Each wore a buck tail in his hat, and had a tomahawk and scalping-knife in his belt.

"Thus organized and equipped, these gallant men held themselves in readiness to march at a minute's notice, and wherever their services might be required to defend the rights of the colonies from the encroachments of the British Crown. Accordingly when on the 14th of June, 1775, the Continental Congress resolved 'That two compa-

nies of expert riflemen be immediately raised in Pennsylvania, two in Maryland, and two in Virginia, and that each company, as soon as completed, shall march and join the army near Boston,' the Shepherdstown riflemen obeyed the summons with alacrity, and their's was the *first company from the South* that rallied by the side of Washington when Boston was beleagured.

"The 17th of July, 1775, was the day set for their departure, and Morgan's Spring was their rendezvous. True to their appointment, they all met there on the morning designated: not a man was missing. Having partaken of a frugal meal, they arose from the grass and reverently received the blessing which a holy man of God invoked in their behalf, after which, solemnly agreeing together that as many of them as might be alive on that day fifty years should meet again at Morgan's Spring,* they shouldered their rifles and forthwith began their march, 'making,' as one of them expressed it, 'a bee-line for Boston,' which they reached on the 10th of August, having made the journey of 600 miles in twenty-four days.

"As they approached the camp of Cambridge, Washington, who was making a reconnoissance in the neighborhood, desecring the Virginians in the distance, galloped up to meet them, and when Capt. Stephenson, saluting him, reported his company 'from the right bank of the Potomac,' the commander-in-chief, unable to resist the impulse, sprang from his horse, and beginning with the captain, went from man to man, shaking hands with each, tears of joy rolling down his cheeks as he recognized his friends and fellow-soldiers from the South.

"Morgan's riflemen reached the camp a day or two after Stephenson, and Cresap's company from western Maryland, arrived a few days after Morgan.

"An accurate idea of the men who were mustered in these three rifle companies may be had from the following extract of a letter to a gentleman in Philadelphia, dated Fredericktown, Maryland, August 1st, 1775. [*Vide Am. Archives, Vol. 3d, 1775, page 1, 2.*]

"'Notwithstanding the urgency of my business, I have been detained three days in this place by an occurrence truly agreeable. I have had the happiness of seeing Captain Michael Cresap marching at the head of a formidable company of upward of one hundred and thirty men from the mountains and backwoods, painted like Indians,

*On the 17th of July, 1825, there were but four of the riflemen living, viz.: Maj. Henry Bedinger, of Berkeley County; his brother, Michael Bedinger, of Blue Lick, Ky.; Peter Lauck, of Winchester, Va., and — Hulse, of Wheeling, W. Va.

armed with tomahawks and rifles, dressed in hunting-shirts and moccasins; and though some of them had traveled hundreds of miles from the banks of the Ohio, they seemed to walk light and easy, and not with less spirit than at the first hour of their march.

“Health and vigor, after what they had undergone, declared them to be intimate with hardship and familiar with danger. Joy and satisfaction were visible in the crowd that met them. Had Lord North been present, and been assured that the brave leader could raise thousands of such-like to defend their country, what think you—would not the hatchet and the block have intruded upon his mind?

“I had an opportunity of attending the Captain during his stay in town, and watched the behavior of his men, and the manner in which he treated them; for it seems that all who go out to war under him, do not only pay the most willing obedience to him as their commander, but in every instance of distress, look up to him as their friend or father. A great part of his time was spent in listening to and relieving their wants, without any apparent sense of fatigue or trouble. When complaints were before him, he determined with kindness and spirit, and on every occasion condescended to please without losing dignity. Yesterday (July 31st, 1775) the company were supplied with a small quantity of powder from the magazine, which wanted airing and was not in good order for rifles; in the evening, however, they were drawn out to show the gentlemen of the town their dexterity at shooting. A clap-board with a mark the size of a dollar was put up; they began to fire off-hand, and the by-standers were surprised, few shots being made that were not close or into the paper. When they had shot for some time in this way, some lay on their backs, some on their breasts or sides, others ran twenty or thirty steps, and firing as they ran, appeared to be equally certain of the mark. With this performance the company were more than satisfied, when a young man took up the board in his hand, not by the end, but by the side, and holding it up, his brother walked to the distance and coolly shot into the white; laying down his rifle, he took the board, and holding it as it was held before, the second brother shot as the former had done. By this exhibition I was more astonished than pleased. But will you believe me when I tell you that one of the men took the board, and placing it between his legs, stood with his back to the tree while another drove the center?

“What would a regular army of considerable strength in the for-

ests of America do with one thousand of these men, who want nothing to preserve their health and courage but water from the spring, with a little parched corn (with what they can easily procure in hunting), and who, wrapped in their blankets at the dead of night, would choose the shade of a tree for their covering and the earth for their bed.' ”

In one of the chapters of this work, more especially bearing upon Berkeley County prior to the division, are incorporated sketches of the three prominent and unfortunate generals, who resided, all of them, in that portion of the county now comprised in Jefferson, but the following additional facts in regard to those worthies, written by the same talented gentleman who furnished the editor of this work with the preceding account of the famous company, is so readably prepared and embraces so many new ideas, that it is given a place here with pleasure. It also touches upon several other interesting points, so lucidly and freshly, that the extracts will be still further appreciated on that account. The writer was on his way to the barbecue, as above stated, and says:

“We halted a few minutes at Charlestown, named after Washington’s youngest brother, Charles, on whose land it was laid out, and who is said greatly to have resembled the general in the dignity of his appearance as well as in his disposition and character. Resuming our seats we turned our horses toward Leetown, and resisting the temptation to stop and examine the picturesque ruins of an ancient church which we noticed near the road, and which is said to have been erected in the reign of George II., we drove slowly past Harewood—that fine old place of pleasant memories and patriotic associations, where Washington’s brother Samuel dwelt, where James Madison was married, and where Louis Philippe and his two brothers, the Duke de Montpensier and Count Beaujolais, with their faithful servant Beaudouin, were entertained—a time-hallowed stone mansion, moss-grown and gray, with its black marble mantels, the gift of La Fayette, and its hall hung with a quaint collection of family portraits, amongst which is that of its original proprietor surrounded by those of his five sons. The house having been planned and built under the personal superintendence of Gen. Washington himself has, fortunately, been preserved from the desecration of whitewash and stucco, and we trust will continue to be guarded with jealous care from the senseless vandalism which has no regard for the recollections of our history, and which is ever ready to tear down or disfigure the venerable monuments built by the strong hands of our fathers.

"Soon afterward we found ourselves in front of the former residence of Gen. Charles Lee, of Revolutionary notoriety. The house is a long, low, quaint-looking building with a high-pitched roof and irregularly placed chimneys. It stands a short distance from the turn-pike road, and on rising ground, but is so hidden behind a tangled copse of neglected shrubbery, that it seems to seclude itself from observation with the same pertinacious spirit of misanthropy that characterized the cynical soldier of fortune who once possessed it. Although it was built more than one hundred years ago, the solidity of its lime-stone walls and the soundness of its timbers give assurance that it will last at least another century, if not destroyed by the meddling hand of 'modern improvement.' When occupied by Lee, it is well known that he allowed no partition to divide its interior; but a huge chimney, which rises through the center of the building, served in some degree to separate the cooking department from that which was made to answer for a bed-room, parlor, library, dog-kennel and all.

"Here he was living, a soured, disappointed man, against whom the door of promotion had been closed in his own country when the war for independence began in ours, and hither he retired with a heart fuller than ever of bitterness and hate after the Continental Congress had confirmed the finding of the court martial that sat in judgment on his conduct at the battle of Monmouth. It certainly seems strange that such a man as Lee should have lived, and so lived, in this then retired place; that one whose attainments were so great, whose career had been so eventful, whose ambition was so unsatisfied, 'who had served in the famous campaigns of Europe, commanded Cossacks, fought with Turks, talked with Frederick the Great, been an officer under the King of Portugal, and aid-de-camp to Pianatowski, King of Poland,' should have selected for his abode what was then comparatively 'a lodge in some vast wilderness with a boundless contiguity of shade.' But he was induced to do so by his friend and fellow soldier, Gen. Horatio Gates, who resided in the same neighborhood, upon an estate called Traveler's Rest; and as the letter he wrote to Lee persuading him to settle where he did, is both characteristic and rare (never having been printed in this country), I here insert it:

TRAVELER'S REST, VA., July 1st, 1774.

"MY DEAR LEE:—I received your welcome letter by Mr. Wormley, and live in daily expectation of seeing you at my hut. I now wish more than ever for that satisfaction; as the alarms of the times make

me earnest to consult and converse with you thereupon. Until actions convince me of the contrary, I am resolved to think Mr. Gage has some secret medicine in his pocket to heal the wounds that threaten the life of American liberty. Surely a man so humane, so sensible, so honorable, so independent in his circumstances, and so great from family expectations, would never undertake a business fit only for an abandoned desperado, or a monster in human shape, a General Murry, a Macro, or a Ravilliac. I cannot think what detains you so far southward at this season of the year; without any disparagement to Williamsburg, health and such as you like for associates are more certainly to be met with to the northward. I know not how you find it, but the older I grow, I become less and less inclined to new acquaintances. Selfishness and sycophancy possess so generally the minds of men, that I think the many are best avoided, and the few only who are liberal and sincere to be sought for and caressed. I therefore stick steadily to the cultivation of my farm, am intimate with few, read when I have time, and content myself with such domestic comforts as my circumstances and fortune afford me. I wish, therefore, most anxiously, you would come to my retreat, and let us philosophize on the vices and virtues of this busy world, the follies and the vanities of the great, the vulgar, and the small—

“‘Laugh when we please, be candid when we can.
And justify the ways of God to man.

“‘Mrs. Gates is earnest in desiring to see you under her roof, where a good bed is provided for you, two or three slaves to supply all your wants and whimsies, and space enough about us for you to exorcise away all your spleen and gloomy moods, whensoever they distress you.

“‘In my neighborhood there is this moment as fine a farm-mill and tract of land to be sold as any in America, and provided it is convenient to you to pay down half the price, I am convinced you may have it at a very great bargain.

“‘It is altogether two thousand four hundred acres, at thirty shillings sterling an acre; I am satisfied you might have it so.

“‘By paying down about one thousand eight hundred pounds sterling, you may be put in possession of an estate that ten years hence will be worth seven thousand pounds sterling; and I take it for granted that you may have the payment of the rest of the purchase money at easy installments, and that, too, without interest; so by laying out a thousand pounds sterling more in stocking and improvements, your produce will yield you a fine living, and wherewithal to pay your annual installments bargained for in the purchase. I suppose you have procured from Lord Dunmore his warrant for your five thousand acres upon the Ohio; that will be, very soon, of considerable value.

“‘As to the Indians, the behavior of certain of the white people is, beyond all comparison, abominable toward those unhappy natives.

Not content with quiet possession of all the land on this side of the Ohio, they demand, as a preliminary to a peace, all the land between that river and the Mississippi; but this story is too long for a letter—you shall know the whole of this iniquitous affair when we meet.

“The gentleman who does me the favor to present you this letter has the pleasure of your acquaintance, and can fully inform you of the exceeding wickedness and absurdity of the measures pursued and being pursued against the Indians.

“I have read, with wonder and astonishment, Gage’s proclamations; surely this is not the same man you and I knew so well in the days of yore; but that men should change, neither you nor I will be surprised at; it is rather matter of amazement when they do not.

“*August 17th.*—I am this instant returned from Baltimore, and hoped to have crossed upon you in your route northward, but, like Swift’s Mordants, you were vanished. I was sorry for it, as I might have prevailed upon you to have tempered your zeal with caution, before all such persons as may reasonably be suspected to watch your words and actions. Where your zeal in the noble cause you mention can be exerted to effect, too much caution cannot be shown; but be careful how you act, for, be assured, Gage knows you too well, and knows you know him too well, not to be glad of any plausible pretense to prevent your good services in the public cause. Farewell, my friend; remember, I am what I have always professed myself to be, and that I am ready to risk my life to preserve the liberties of the Western World.

“On this condition would I build my fame,
And emulate the Greek or Roman name;
Think Freedom’s rights bought cheaply with my blood,
And die with pleasure for my country’s good.

“While I live, I am,

“Yours unchangeably,

“HORATIO GATES.”

“After the reception of the foregoing letter, Lee lost no time in securing the estate it refers to; and having taken possession of it in the autumn of 1774, he lived there till the following May, when he repaired to Philadelphia, where the Continental Congress was in session, and was soon after appointed major-general in the American army.

“From the time of his arrival with Washington on the 2d of July, 1775, till his suspension from command his history is well known to all. It was not until the spring of 1779 that he had an opportunity of visiting his Virginia plantation; but when he returned to it (as he said, ‘to learn to hoe tobacco—which is the true school to form a consummate general, a discovery I have lately made’), he remained there until

the fall of 1782, when, although (according to his biographer) he had become 'so rusticated that he could have lived in a tub with Diogenes;' he determined to sell the estate and settle near some seaport town. With this view he went to Philadelphia, and took lodgings in the 'Slate Roof House,' in which William Penn once resided; but a few days after his arrival he was seized with a fever, which caused his death on the 2d of October, 1782."

[Gen. Lee is said to have had a large number of dogs and was so fond of them that he drank his water from the same bucket as his canine friends, but the anecdote scarcely accords with his fastidious tastes in other matters. His affection for the dumb brutes, and his traditionary great care of them is rather an evidence of his kindness of heart than otherwise. And the stories of his naming his dogs after the Holy Trinity and the Apostles, seem not to be borne out by the facts. A man could scarcely be so sacrilegious as to do that and at the same time say, as he does in his will, "I most earnestly commend, my soul to the great Creator of all worlds and all creatures." He was what would be termed to-day "an advanced thinker," not a sceptic, infidel or atheist, as he has been called. He was not any more "advanced," however, than most of the intellectual religionists of this latter part of the nineteenth century, for they believe, with Charles Lee, that "the Creator is indifferent to the *creeds* of man," whether that man be "Christian, Jew or Mahometan."]—EDITOR.

"But yonder is 'Travelers' Rest,'" continues the account from which these sketches are gleaned, "a cluster of farm buildings on the left hand side of the road, and it reminds me of another incident in Lee's life, which, as it happened in the very house to which we are going, will be an appropriate introduction to Gates' domicile.

"It appears that both Gates and his wife, being fond of the pleasures of the table, were accustomed to linger over their wine and walnuts, which had the effect, occasionally, of making Mrs. Gates not only more loquacious than ladies generally are, but also more disputatious than they ever ought to be. When in these moods she sometimes so far forgot the proprieties of her sex as to berate her husband, even in the presence of company. Such scenes were especially disagreeable to General Lee who, in the latter days of his life, had so little fancy for the fair sex, that he would not sleep in a room where any article of female attire might happen to be left.* Well, one day after dinner her

*But his will, printed in another portion of this work, shows that he had a housekeeper, a Mrs. Dun, to whom he bequeathed considerable of his personal effects.—ED.

ladyship was 'lording it over her lord' a little more Xantippe-like than usual, and in the course of the controversy she appealed to Lee for an expression of his opinion as to the position she had assumed. Lee hesitated, but, being pressed by the lady for an answer as to his opinion of her, said, as he took up his hat and a position near the door, 'Then, madam, you shall have it: My candid opinion is that you are a tragedy in private life and a farce to all the world.' So saying he silently took his departure.

"But here we are at the identical door through which the General deemed it so prudent to retreat, for the second time in his strange, eventful history, from the face of a British grenadier!

"The house at Traveler's Rest is similar in the general style of its architecture to that of Lee's, but better finished. It is substantially built of cut limestone—a story and a half high, with huge chimneys and lofty roof. The windows are numerous and narrow (those in the basement looking like port-holes), the casements are clumsily constructed, and the glass in them nearly an eighth of an inch thick. The interior seems to have undergone but little alteration since the days of its distinguished occupant. The principal apartments are paneled and ornamented with heavy cornices carved in the fashion most approved of by our fathers 'when George the Third was King.' The crest and monogram of Gates (for he was of gentle lineage) are still to be seen, rudely cut with a diamond into one of the small window panes. It is the General's initials, surmounted by a horse's head, rampant on the conventional losenge.

"Descending the rocky hill on which the house is placed, a parting look was cast at the venerable edifice once occupied by the brilliant and soldierly Gates—the god-son of Horace Walpole (to whom, indeed, some say, 'he stood in filial relationship of a less sanctified character'), and the thought came forcibly to our mind, what a small event it is sometimes sends a man's name down the corridors of time freighted with ignominy—perhaps undeserved.

"Not having time, it was a matter of regret that we could not pay a visit to that other major-general of the Revolution, who, too, stands smirched to this day for an offence that time seems constantly endeavoring to make less and less flagrant.

"Maj.-Gen. Adam Stephen was a native of Scotland. In 1740 he took the degree of Master of Arts at King's College, Aberdeen. In 1745 he went to London, and was appointed surgeon's mate on a man-

of-war; but disliking the regular service, came over to Virginia as surgeon on a merchantman. Dr. Stephen, returning to England on the same vessel upon which he had come out, the Neptune, gave the first evidence at this time of the stern stuff that was in him. When in the Channel they were attacked by a French privateer, and were on the point of being boarded, when Stephen addressed the officer in command and begged the use of four nine-pounders which were in the cabin, and with the assistance of two young sailors directed the guns so effectively that they swept the forecastle and bowsprit of the enemy, thereby saving the Neptune and her cargo of four hundred hogsheads of tobacco. The ancient account says: 'The sailors spreading abroad the report of this occurrence' in London, occasioned the merchants to take much notice of the Doctor, and he was offered the surgeoncy of an East Indiaman, with considerable privileges. Not liking a sea-life, however, he declined the offer and came to America, landing in Maryland in the spring of 1748. Shortly afterward he moved to Fredericksburg, and practiced his profession with success until the spring of 1754, when, at the solicitation of William Fairfax, he agreed to enter the service, and by Mr. Fairfax's directions, Col. George Washington called at his house and left him a commission for the first captaincy,' in consequence of which he forthwith repaired to the frontier and raised a company. He was with Washington at the battle of Great Meadows, and the following year accompanied Braddock on his disastrous expedition, being himself wounded in that engagement. On this expedition it is probable that his first acquaintance began with Charles Lee and Horatio Gates, the former being an officer in the Forty-Fourth Regulars, and the latter a captain of an independent company of Royal Americans, and was also wounded."

In addition to the above supplementary facts so kindly furnished the editor hereof, the writer has had put into his possession several other matters bearing upon the same subject.

It has ever been the endeavor on the part of English writers to belittle and even blacken the character of Charles Lee, for the government of the mother country felt the loss of so able an officer when he espoused the cause of America. And when he was captured—after the scare that Washington gave them, when they threatened to take Lee to England and try him for treason, by sending Howe word that English officers in his (Washington's) hands would receive the same

treatment they visited upon Gen. Lee—the British government at first demanded *six general officers* in exchange for Lee. If he was of so little consequence why demand so high a ransom? These remarks are suggested by an article printed several years ago in the London *Athenæum* by a George H. Moore, entitled “The Treason of Charles Lee,” and overflows with venom against that unfortunate soldier. This writer says he was a “droll mixture of charlatan and hero,” that he was “burning with resentment” against England, and other such twaddle. Also that the people looked up to him as their leader, and that “had he been an American he would have been nominated to the command of the army,” and that Washington’s “most cordial friends mistrusted his (Washington’s) military capacity.” The ideas of this writer do not agree with each other, however, for it is a singular state of feeling for one to be “burning with resentment” against a country and at the same time turn traitor to the country that was honoring him, for the benefit of the government he was “burning” against.

To Charles Lee have, by several investigators, been attributed the famous letters of “Junius.” It is said that in the fall of 1773, Mr. Thomas Rodney was in America in company with Lee, when the subject of the authorship of the Junius letters came up. Mr. Rodney advanced the idea that no one but Lord Chatham could have been the author, when Lee with great animation said to his “certain knowledge Lord Chatham was not the author, nor does he know who is; that there is not a man in the world, not even Woodfall, who knew; that the secret rested solely with himself, and would remain so.” To which Mr. Rodney, feeling very much surprised, replied: “General Lee if you certainly know what you have affirmed, it can no longer remain a secret; no one but the author himself could know what you have just affirmed.” Recollecting himself, Lee replied, “I have unguardedly committed myself, and it would be folly to deny it to you, that I am the author; but I must request that you will not reveal it during my life; for it never was, and never will be revealed by me to any other man.”

It is an extraordinary coincidence that Lee, Gates, and Stephen—all born in Great Britain, all captains on this continent in the old French war, all with the rash and unfortunate Braddock when he was defeated and killed, all wounded in that famous defeat, all active and efficient promoters of the cause of the colonists in the morning of the Revolution—should, after having respectively reached the rank of

major-general, have been court-martialed and deprived of their commands, and finally be found living together on adjacent farms in the same locality.

CHAPTER XVII.

ORGANIZATION OF JEFFERSON COUNTY.

THE COUNTY COURT—FIRST COMMISSION OF THE PEACE—SOME NOTED JUSTICES—FIRST CLERK AND SHERIFF—APPLICANTS FOR ADMISSION—GEN. WILLIAM DARKE—MANUMISSION OF SLAVES—TAVERNS—ERECTION OF PUBLIC BUILDINGS—MILITARY APPOINTMENTS—FERDINANDO FAIRFAX—MINISTERS LICENSED—"JEFFERSON AND CLEVELAND, PERSONS OF HONESTY AND GOOD Demeanor"—LIST OF ALL THE JUSTICES OF THE COUNTY—THE CIVIL WAR PERIOD—PROMPT PATRIOTISM—SHEPHERDSTOWN, THE COUNTY SEAT—REORGANIZATION—RESTORATION OF THE COUNTY SEAT—DR. S. J. CRAMER—THOMAS A. MOORE—THE CIRCUIT COURT—ITS ABLE JUDGES—RICHARD PARKER, OSSAWATOMIE BROWN'S JUDGE—A FOUR YEARS' HIATUS—ROBERT T. BROWN, C. C. C.—TRIBUTE TO A GOOD MAN—THE LATER JUDGES—COMPLETE LIST OF SHERIFFS.

THE records of Jefferson County, by the forethought of the late venerable and popular clerk, Mr. Thomas A. Moore, are, happily, intact from the day of the organization of the first court in 1801 to the present time. The thoughtful gentleman named seemed to foresee the vandalism that would ravage Charlestown, and so, wisely, had the records all removed to Lexington, where they remained till the close of hostilities, when they were brought back to Shepherdstown, at which point the seat of justice for Jefferson County was established after the war, and where it remained till 1871, when it again took up its quarters in Charlestown. The first entry in the first order book of the justices reads as follows:

Jefferson County, Set:

Be it remembered that at the house of John Mines (formerly occupied by Basil Williamson), in the town of Charlestown, on the tenth day of November, 1801, a new commission of the peace from His Excellency, James Monroe, Esq., Governor of the Commonwealth of Virginia, dated the 26th day of September, 1801, directed to John Kearsley, William Little, Joseph Swearingen, Alexander White, John Briscoe, William Darke, Richard Baylor, George Hite, George North, Daniel Collett, Abraham Davenport, Van Rutherford, John Packett,

Daniel Morgan, Jacob Bedinger and Ferdinando Fairfax, was produced to the court and read, Whereupon the said William Little, Joseph Swearingen, Alexander White, John Briscoe and Richard Baylor, having first taken the oath for giving appearance of fidelity to this commonwealth, the oath in support of the Constitution of the United States, and also the oath of office according to law, which were administered to them by John Kearsley, he the said Kearsley then took the same oaths, which were administered to him by Joseph Swearingen, and the said Kearsley then administered the same oaths to George Hite, George North, Daniel Collett, Abraham Davenport, John Packett, Daniel Morgan, Jacob Bedinger and Ferdinando Fairfax, who severally took the same. *Court Proclaimed.*

The wheels of justice now being fairly in motion, William Little produced a commission from his excellency, Gov. Monroe, as sheriff of Jefferson County, and took the required oaths; also furnished his bondsmen, who obligated themselves in the required sum.

George Hite was appointed clerk of the court, and Ferdinando Fairfax and Lawrence A. Washington acknowledged themselves as bondsmen for the clerk.

Cyrus Sanders, Benjamin Stephenson, William Little, Jr., and John Sanders were sworn in as deputy sheriffs.

William R. Lowery was sworn as deputy clerk; John Baker was appointed and sworn in as deputy attorney for the commonwealth, and William McPherson was recommended as surveyor for the county.

William McPherson and Joseph Swearingen were appointed commissioners to confer with the commissioners appointed by Berkeley County Court to determine the boundary between the two counties.

At a court held next day, the 11th of November, the following attorneys were admitted to practice: William McGuire, Edward Christian, Lewis Elsey, Mathew Whiting, John Dixon, Samuel Reed, Elisha Boyd, William Tate and Hugh Holmes.

The following persons were appointed constables: Jacob Long, William Shope, John Grantham, Peter Martin and Christian Olliman.

At the next (December) court, held on the 8th of the month, Archibald Magill, one of a noted family of lawyers, there being three or four practicing at the same time in Frederick, Berkeley and Jefferson Counties, was admitted to practice. The Magills were residents of Frederick County.

At this court a very prominent German divine, Freidreich Wilhelm Gausinska, appeared before the justices, and having produced a certifi-

cate of his being a regular minister in the German Lutheran Church of Pennsylvania, was authorized by the court to administer the rites of matrimony. The reverend gentleman at this time came to take charge of the Lutheran Church at Shepherdstown.

The county was laid off into two districts, for the purpose of specifying the bounds of the two overseers of the poor who were to be selected.

Gen. William Darke, who had been appointed one of the justices of the peace, died at this time. He was a man highly respected by all, and although living in the same county with the three other generals, Lee, Gates and Stephen, seems to have held himself aloof from those three brilliant malcontents. Gen. Darke is represented to have been a gentleman of modest demeanor, but a soldier, every inch of him. His name may not have flashing about it the doubtful coruscations of supposed genius, but he went down to his grave an honored and honorable Revolutionary soldier, with no smirch upon him.

December 9, 1801.—The records state that a "Mr. Rutherford" (evidently meaning Robert Rutherford, the Congressman) appeared before the justices and had placed on record the fact of his having manumitted three of his slaves, Menta, Joseph and Adam. This is the first case of manumission in the county, and is notable for the reason that it was long before any anti-slavery agitation occurred. It is altogether probable that this course (manumission) would have been generally pursued, in the border States, at any rate, had not violent agitators risen to attempt to force the matter. Some horses may be led, but not driven. Numbers of other cases occurred similar to that of good, plain old "Robin" Rutherford, whose heart is said to have been far out of proportion with his small frame.

In those early days the justices were sometimes judge, jury, witness and executioner. Their sway simply covered almost all matters in which the community was interested. They regulated the prices of general commodities to a certain extent, and seemed to have special care for the keepers of taverns (ordinaries). Here is a list of the prices made out and promulgated for the use of the proprietors of ordinaries in 1801:

For one dinner.....	\$ 40
For one breakfast.....	28
For one supper.....	30
For one lodging.....	10
For one quart Madeira wine.....	1 25

For one quart sherry wine.....	1 00
For one quart Lisbon wine.....	75
For one quart port wine.....	75
For one quart punch.....	50
For one quart toddy.....	25
For one bottle London porter.....	50
For one gill spirits.....	12½
For one gill French brandy.....	12½
For one gill peach brandy.....	10
For one gill apple brandy.....	6½
For one gill whisky.....	6½
For one gill bounce.....	6½
For one quart beer or cider.....	8
Stabling and hay per night.....	25
Corn and oats per gallon.....	12½
Pasturage per night.....	7

February Court, 1802.—Abraham Morgan was recommended as a proper person to be appointed major of the First Battalion, Fifty-fifth Regiment, Virginia Militia, in the room of Henry Bedinger, removed. Jacob Haines was recommended for captain in same battalion.

Christian Fouke was recommended as lieutenant in the Fifth Battalion, also Jacob D. Williamson for a similar position, Azariah Thomburg for a captain, and John Unsell and Conrad Shingler, for ensigns in the same battalion.

Matthew Frame, Thomas Hammond and David Humphrey were requested to continue their services as solicitors for subscription to the fund for the purpose of erecting public buildings for the accommodation of a court of justice; and also to collect the arrearages due from subscribers, and to report progress.

From this entry in the old records it appears that the public buildings were erected by the voluntary contributions of the citizens of the county.

The first case of crime brought to the notice of the justices was that of Peter Lung, who was charged with having "stolen two silver dollars," but there was not enough evidence to convict him. The first grand jury empaneled was at the March court, 1802: George Washington was foreman, Lawrence A. Washington, Leodovick Fry, Eli Phelps, Zachariah Buckmaster, Richard Hardesty, Nicholas Shall, Beverly Whiting, John Sheely, John Lemon, Alexander Burnett, Samuel Wright, Jacob Moler, James Likens, Jacob Smurr and Samuel Reed.

By December of this year (1802) the public buildings were under construction, as the sheriff was ordered to pay to John Young \$100



Dan^l B. Lucas

out of the depositum in his hands for the purpose of carrying on the public buildings of the county. On February 9, 1803, another \$100 was paid to Young.

About this time a negro belonging to George H. Norris was hung for committing an outrage, and his master was paid \$333.33 for the loss of his slave, which was in accordance with the law then prevailing. John and Robert, negroes belonging to Robert Baylor, were convicted of stealing a vest and two yards of calico, and sentenced to be "burned in the hand and receive twenty lashes," "within the benefit of clergy," all "in the presence of the court."

In February, 1805, an account of the expenditures attending the public buildings of the county was inspected by the court and the claim was allowed. These first buildings seem to have been only temporary, as will be seen farther along. The same court ordered the clerk to advertise for "plans and proposals for building a jail of brick or stone, with or without a wall enclosing the same, with estimates according to each plan."

Just one year from the time mentioned above, the justices ordered that a jail be built of brick, two stories high, with three rooms on the first floor, and two above, the building to be "28x24 feet from out to out." The contract was to be given out by three commissioners, Richard Baylor, Abraham Davenport and Joseph W. Davis. The commissioners were to advertise the letting of the same to the lowest bidder, on March 8, next. David Humphrey was appointed to superintend the work, at a salary of \$200. Ferdinando Fairfax, one of the justices, who is said to have been a man of not only fine attainments, but of great foresight and business judgment, dissented from the order for the reason that the proposed plan was too small, and insisted that it was false economy to so build it, as future expenses in altering and enlarging it, which was sure to occur, would greatly increase the cost over what it would be to at once build it *right*. The contract was let as proposed, but at the May court following, the ideas of Fairfax were adopted, as an addition was ordered as follows: "An addition of 13 feet in the clear, furnishing rooms for the jailor, to be built uniform with the other."

This Ferdinando Fairfax, who owned and resided upon the Shannondale estate, was the third son of Bryan Fairfax, who at the death of Robert, Lord Fairfax, the seventh lord of that name, became the eighth Lord Fairfax. Bryan lived at his seat of Tolston, in Virginia, and

when Robert died he went to England and claimed his right to the peerage. He was the last of the tory Fairfaxes, for his son, Ferdinando, although falling heir to his father's titles as "Lord Fairfax, Baron of Cameron," etc., never claimed his undisputed right, considering the honor of being an American citizen quite sufficient in this free land. Ferdinando inherited his beautiful estate from George William Fairfax, of Belvoir, on the Potomac nearly opposite Mount Vernon, whose father, William Fairfax, was a cousin of *our* Lord Fairfax, proprietor of the Northern Neck. George William made provision in his will that at the death of his wife the estate should go to Ferdinando. He (G. W. F.) was about the same age as Washington, and when the illustrious general was about sixteen he and young Fairfax began surveying all this lower Shenandoah Valley, or a great part of it at least.

The next year, February, 1807, Abraham Davenport, Benjamin Bell, and David Humphrey, were appointed a committee to ascertain what repairs were necessary to be made to make the old jail suitable for a clerk's office, and to let the remodeling of the same out to the lowest bidder. Also, Richard Baylor, David Humphrey and William H. Harding, were appointed a committee to examine the clerk's office then used, and report in what condition the records and papers were.

June Court, 1807.—It was ordered that the county be laid off into two districts, to be determined by the "main road from the Loudoun line by Keyes"; thence with Hite's road to Lee and thence with the main road by Robert's ford on the Opeckon to the Berkeley line, to be called the Northern and Southern districts: that on the Northern side to be the Northern District and that on the Southern side the Southern District."

During this year there were a large number of slaves manumitted, but the particular cause of it does not appear. The punishment of branding, or burning with a hot iron into the hand, seems to have been administered nearly as much as whipping at the "public post."

1808.—Lewis Mayers, of Maryland, of the German Reformed Church, was licensed to perform the rites of matrimony.

1809.—In the county levy the sum of \$200 is appropriated for the purpose of making window-shutters above and below, and glazing the windows of the court-house; for erecting a "stocks and pillory;" for purchasing plain tables and benches for the jury rooms; for making stone steps to the court-house and clerk's office, and making "necessary repairs to ye jail."

1810.—Obed Waite was admitted to practice in Jefferson. The previous year to this he had been made clerk of the circuit court holden in Martinsburg. He filled the position of clerk till 1824. Robert C. Lee and Edward Colston were also admitted to practice their profession—the law. Rev. John Price, a Protestant Episcopal minister, who had charge of the Episcopal Churches at Charlestown and Shepherdstown, and a number of chapels elsewhere, who is said to have been the last rector of the old church, now such a picturesque ruin near Charlestown, was licensed to administer the rites of matrimony. Rev. Francis Moore, a Baptist minister, was accorded the same privilege.

1811.—Dr. Samuel J. Cramer, William McElroy, Thomas Carson, Joseph Creswell and David Gray were naturalized, “they having complied with the law in taking the several oaths.”

The county was pretty well supplied with taverns at that early day, as at one court the following persons were licensed to “keep an ordinary”: Henry Gilbert, Henry Garnhart, Casper Walper, Catharine Wiltshainer, John Conaway, Henry Haines, John Anderson, John G. Unseld, Basil Williamson, John James, Christian Fouke, George Little, Jacob Alstadt, Curtis Grubb. Owing, possibly, to the existence of some of these “ordinary” places the following entry was made on the old minute book: “William Rhonomus proved that John Welsh bit off his left ear in a fight.”

But liquor selling and liquor *drinking*, for that matter, was not accompanied by the same, if any, stigma that it has attached to it at this day, for a few years later than the last date given above, so respectable a firm as “Jefferson & Cleveland” dispensed the ardent. This firm name appears to a petition to the justices as follows: “Upon the petition of Humphreys & Keyes, Robert Keyes & Co., Jefferson & Cleveland, William Hooff, John & James Stephenson, David Humphreys, George Humphreys, W. & J. Lane, William F. Lock, Lanes & Timberlake, Matthew Frame & Son, Samuel K. White, Maslin & Co., J. N. Carter, Weed & Dudley, Michael Garry, William Anderson and Ransdell Brown, for permission to sell spirituous liquors by retail, the court doth certify that they are persons of honesty, probity and good demeanor.”

The first court-house was built about 1808, or at least finished then; the second one, almost totally destroyed during the late war, was built, or rather finished about 1836; the present handsome and substantial

structure, on the ruins of the second, was remodeled and finished in 1871. As showing the increase in population, the tithables of 1808 and 1819 are given, the first date showing 2,583 and the latter 3,460.

The following is a complete list of the justices of the peace from the organization of the first court:

1801.		
John Kearsley,	Richard Baylor,	Van Rutherford,
William Little.	George Hite,	John Packett,
Joseph Swearingen,	George North,	Daniel Morgan,
Alexander White,	Daniel Collett,	Jacob Bedinger,
John Briscoe,	Abraham Davenport.	Ferdinando Fairfax.
1802.		
David Humphreys,	Jacob H. Manning,	William Brown.
1803.		
John D. Orr;	Joseph W. Davis.	
1806.		
William H. Harding,	Jacob D. Williamson,	William Byrd Page,
John Wager,	Jesse Moore,	James Hite.
Benjamin Bell,	Gershom Keyes,	
1809.		
William P. Flood,	Carver Willis,	Richard Williams.
William Lee,	Matthew Ransone,	John T. A. Washington.
1811.		
John Lyons,	Samuel J. Cramer,	Presley Marmaduke.
1815.		
Benjamin Davenport,	Edmund Downey,	Benjamin Bell.
Richard Williams,		
1819.		
Lee Griggs,	Durst Long,	Sebastian Eaty,
George W. Humphreys.	John H. Lewis,	Richard Duffield.
1822.		
Smith Slaughter,	Henry Boteler,	David Snively,
John Moler.		
1824.		
William Butler,	John Yates,	John A. Washington.
1825.		
George Reynolds,	John S. Gallaher.	
1827.		
Fontaine Beckham,	Samuel K. White,	James Shirley, Jr.,
Joseph McMurran.		
1830.		
	Baker Tapscott.	
1832.		
George B. Stephenson,	James B. Wager.	
1834.		
Bushrod C. Washington,	Thomas Timberlake,	John Quigley,
James Griggs.		

1836.		
Thomas Hite,	Samuel W. Lackland,	William F. Lock,
William F. Turner,	Braxton Davenport,	G. W. Hammond,
Thomas Briscoe,	Thomas H. Willis,	Robert Worthington,
William Grantham.		
1838.		
John C. R. Taylor,	Alex. R. Boteler,	Richard Henderson.
1839.		
Jacob Morgan,	Charles Harper,	G. B. Wager.
1841.		
John T. Henkle,	John Strider,	James Grantham,
John Stephenson,	Anthony Kennedy,	William O. Macoughtry.
John J. H. Straith,		

1852.—An act of the Legislature empowering a change in the manner of selecting justices of the peace and providing for an election and distinct term of service for those officials, having been passed by the General Assembly of the Commonwealth, the following gentlemen were chosen:

District No. 1.—Jonas Walraven, John C. R. Taylor, Logan Osburn, John J. Grantham.

District No. 2.—John F. Smith, Robert W. Baylor, Jacob W. Wageley, David Fry.

District No. 3.—Braxton Davenport, Thomas W. Keyes, John J. Lock, Horatio N. Gallaher.

District No. 4.—John Avis, Jr., Samuel Ridenour, George B. Beall, John T. Henkle.

District No. 5.—Lewis Lucas, Vincent M. Butler, John Hess, David Bilmeyer.

District No. 6.—Minor Hurst, John Quigley, John Keplinger, Alexander R. Boteler.

District No. 7.—John Moler, William Turk, James Logie, Joseph L. Russell.

District No. 8.—Armistead M. Ball, George W. Little, Thomas W. Shriver, George W. Tacey.

Braxton Davenport was selected by his associates as presiding justice, to which position he was successively elected till his death, in 1862.

1856.—The following are those elected in 1856, the term of service being four years:

District No. 1.—Roger Chew, Charles H. Lewis, Logan Osburn, John J. Grantham.

District No. 2.—John F. Smith, Robert W. Baylor, Meredith Helm, David Fry.

District No. 3.—Braxton Davenport, John J. Lock, Horatio N. Gallaher, T. W. Keyes.

District No. 4.—Andrew Kennedy, Samuel Ridenour, John T. Henkle, George B. Beall, William T. Alexander, serving unexpired term.

District No. 5.—Lewis Lucas, Jacob W. Reynolds, John Hess, John F. Hamtramck.

District No. 6.—Joseph Welshans, John Quigley, John Keplinger, Alexander R. Boteler.

District No. 7.—John Moler, William H. Turk, Samuel W. Patterson, Joseph L. Russell.

District No. 8.—Armistead M. Ball, George W. Little, Israel Russell, George W. Tacey.

1860.—The following are those elected in this year. Some served out their term, only in name as the war coming on a year afterward nearly all official business was for four years in Jefferson County almost estopped for that period:

District No. 1.—Logan Osburn, Charles H. Lewis, Fisher A. Lewis, John W. McCurdy.

District No. 2.—John W. Grantham, John F. Smith, J. Gregg Gibson, David Fry.

District No. 3.—John J. Lock, Samuel Ridenour, Braxton Davenport, Thomas Hite.

District No. 4.—William F. Alexander, George W. Eichelberger, John Moler, John M. Engle.

District No. 5.—L. C. Heskett, Jacob W. Reynolds, Samuel Knott, George Licklider.

District No. 6.—Vincent M. Butler, John Quigley, John Keplinger, Joseph Welshans.

District No. 7.—William Smallwood, William McCoy, Edward H. Chambers, Robert N. Duke.

District No. 8.—Charles Johnson, John A. Brooks, A. H. Herr, Rezin Cross.

“May 22, 1861.—At a court continued and held this day, present Braxton Davenport, presiding justice, and Charles H. Lewis, Fisher A. Lewis, John W. McCurdy, John W. Grantham, John F. Smith, J. Gregg Gibson, David Fry, John J. Lock, Samuel Ridenour, William F. Alexander, George W. Eichelberger, John Moler, John M. Engle, George Licklider, Samuel Knott, Jacob W. Reynolds, V. M. Butler, John Keplinger, Joseph Welshans, Edmund H. Chambers, Robert N. Duke, William Smallwood, A. H. Herr and Charles Johnson.

“The justices having been summoned to consider the propriety of accepting or adopting an act of the Legislature of this State, passed January 19, 1861, to authorize the county courts of the several counties of the State to make appropriations to arm the militia, etc., the court by a *unanimous vote* accepted the said act of the assembly, and appointed a committee, composed of Braxton Davenport, Thomas Rutherford and Humphrey Keyes, to negotiate a loan of \$12,500, to be appropriated to the use of the soldiers of this county and their families.”

The above literal extract from the records shows the unanimity of the people of Jefferson in stepping to the front in the defense of what they believed to be their rights. Her gallant soldiers died on every field, and the names she has furnished the pages of history are as numerous and as brilliant as any of her sister counties, even if *any other*

county can make as glorious a showing. To assist the raising of the appropriation and to make the tax less onerous, the public schools were ordered to be closed, thereby saving the outlay for school expenses.

At the December term, 1862, of the court there appears among the proceedings a "Tribute of Respect to Col. Braxton Davenport, late Presiding Justice," who had just died. The deceased had for many years been presiding justice, was an upright, honorable citizen, and highly respected. He was the father of Col. H. B. Davenport, who resides near Charlestown.

At the beginning of hostilities all the court records, as has been stated, were carried into the interior of the State, with the exception of one each of the last books. Very little or no business was transacted for several years, an occasional meeting occurring, the last one under the old State laws in 1864.

In the meantime the State of West Virginia had been created, upsetting the old methods, and Shepherdstown having been made the county seat, the first proceedings are held in that town, and are in substance as follows, recorded April 25, 1865:

The first minutes of the proceedings of the board of commissioners at this date states that they met for the purpose of dividing the county into townships, and counting the votes cast at an election for township officers recently held. It was found that voting occurred only in four townships: Chapline, Shepherd, Bolivar and Harper's Ferry. J. Thomas Chapline, Daniel Cameron, Alexander Fossett and T. W. Potterfield were elected supervisors. Alexander Fossett was elected by the board its president; Joseph A. Chapline was elected clerk.

About the same time an election was held with the following result: County treasurer, Joseph Welshans; superintendent of schools, S. V. B. Strider, and several minor officers.

For some time, as per the records, the principal business seems to have been the granting of licenses to sell liquor and the counting of the votes at the frequent elections. The mass of the people of the county appear to have taken very little interest in the new order of things.

In June a "Recorder's Court" was organized, with George Byers as recorder.

January, 1866. James Logie, president of the supervisors; H. C. Entler, clerk.

January, 1869. Jno. D. Staley, president of the supervisors; M. T. Ingles, clerk.

January, 1870. Charles H. Traynor, clerk.

September, 1871. J. H. Haines, president of the supervisors; G. H. Turner, clerk.

April 11, 1871.—The county seat having been by act of the Legislature moved back to Charlestown, the supervisors met there in Hooff's Hall.

1872.—William H. Kable was president of the county court. Under the new constitution the magisterial districts were seven, with two magistrates to each. An election was held August 22, 1872, and resulted as follows:

Charlestown.—Hiram O'Bannon, B. C. Washington.

Harper's Ferry.—Basil Avis, J. J. Kern.

Middleway.—John F. Smith, M. Helm.

Osburn.—Samuel L. Rissler, Solomon Fleming.

Potomac.—E. G. Herr, William Rightstine.

Bolivar.—John G. Crockwell, John T. Henkle.

Shepherd.—W. B. Daniels, William Lambright.

January 1, 1877.—President of the court, Robert W. Baylor.

Potomac.—William Rightstine, Jacob S. Melvin.

Bolivar.—John G. Cockrell, A. M. Sponceller.

Harper's Ferry.—Basil Avis, Thomas Thrasher.

Osburn.—Randolph Custer, Charles C. Conklyn.

Middleway.—Joel W. Roberts, John F. Smith.

Shepherd.—D. S. Rentch, William B. Daniels.

Charlestown.—John F. Lock, Hiram O'Bannon.

January 1, 1881.—Robert W. Baylor, president.

Charlestown.—William Burnett, John Avis.

Osburn.—Charles H. Kable, Solomon Fleming.

Middleway.—Meredith Helm, John F. Smith.

Potomac.—Jacob Ferrels, Adam Link.

Shepherd.—John M. Engle, T. W. Latimer.

Bolivar.—John G. Cockrell, William I. Moler.

Harper's Ferry.—Joseph Barry, Basil Avis.

January 1, 1885.—The county was again redistricted, being reduced to five, instead of seven, magisterial districts. I. H. Strider was made president of the court. The others were:

Charlestown.—David Howell, C. W. Trussell.

Kabletown.—Thomas Lock, C. C. Conklyn.

Middleway.—Samuel D. Engle, George D. Johnson.

Shepherdstown.—D. S. Rentch, John D. McGary.

Harper's Ferry.—L. W. Delauder, Charles H. Briggs.

January 1, 1887.—James Law Hooff being elected president of the court, died before the expiration of his term, and W. H. T. Lewis was appointed to fill the vacancy, but afterward elected to the position. He is the present incumbent (1889), and the following are the court:

Charlestown.—C. Frank Gallaher, David Howell.

Kabletown.—Thomas Lock, B. F. Johnson.

Middleway.—A. H. Tanquary, George D. Johnson.

Shepherdstown.—D. S. Rentch, A. S. Link.

Harper's Ferry.—Charles H. Briggs, William J. Moler.

The first clerk of the court was George Hite, who served from the organization of the county, in 1801, till 1817, when he died, and his son, Robert G. Hite, was appointed and served till 1823, when he dying, Dr. Samuel J. Cramer was appointed, who served till his death, in 1840. Thomas A. Moore, son-in-law of Dr. Cramer, was then appointed, and served till 1889, when he died. Jared D. Moore, the former deputy clerk, was appointed to fill the vacancy, and is the present incumbent.

Dr. Cramer, who served for nearly twenty years as clerk of this court, was a gentleman of much culture, and was highly respected for his many virtues by all who came in contact with him. He was of Irish birth, and was educated as a physician at the University of Edinburgh, Scotland, where he graduated. He came to Jefferson County not long after the organization of the county, and was naturalized, as has been stated, in 1811, and shortly afterward was appointed a magistrate. The Doctor used to tell of his acquaintanceship with Sir Humphrey Davy, the eminent Scotch physician and scientist. When young Cramer was graduated he selected for his thesis, "The Variations in Skin-Color," and had occasion to quote from a small obscure pamphlet some facts bearing upon his subject. The quotations were so full of thought and freshness that the faculty questioned Cramer about their authorship, and in company with two of them sought out the unknown author, whom they found to be a young clerk in an apothecary's shop by the name of Humphrey Davy.

Thomas A. Moore came to Jefferson County in 1824, and served altogether, as deputy clerk and clerk, fifty-two years. He deservedly ranks as one of the "old clerks," of the grand old commonwealth. In a little work recently issued, written by one of the "old clerks" of one of the central counties of the State, entitled, "The Old Clerks of Virginia," which gives sketches of all the clerks since the organization of the State, or at least gives the names of all those that were attainable in what is now old Virginia, the author has made an exception in the case of Mr. Moore, who a portion of his time served in West Virginia. It is the only sketch of a West Virginia clerk, in the book, and the author has done himself honor by the insertion of it. Next to

James Keith, clerk of Frederick County, who served sixty-two years and five months, Mr. Moore served the longest of any valley county clerk. He led Mr. Thomas S. Tidball, of Frederick, two years in the race. One clerk across the ridge, or rather in Central Virginia, served sixty-six years. No rotation in office about that.

The Circuit Court.—The following entry in the first order-book of the Circuit Court speaks for itself:

“Be it remembered that in pursuance of an act of the general assembly of Virginia passed on the 16th day of April, 1831, entitled ‘An act to establish a Court of Law and Chancery in each of the counties of the Commonwealth, and in certain corporations therein mentioned,’ a special term of the Circuit Superior Court of Law and Chancery was held in and for Jefferson County, at the Court-House of the said county in Charlestown on the 28th day of May, 1831.

“Hon. Richard E. Parker, a Judge of the General Court and Judge of the Circuit Superior Court of Law and Chancery of the Thirteenth Circuit and in the Seventh District, having been assigned to the said circuit, presided at the session of the court on the day above given and appointed Robert T. Brown Clerk of the same, who took the required oath and entered into bonds for the faithful performance of his duties, with the following gentlemen as his sureties: James Brown, William Brown, George W. Hammond, William Lucas, Leonard Sadler and Robert Lucas.”

At the September term of the court Judge John Scott presided. John E. Page was appointed attorney for the commonwealth for this court. Robert Y. Conrad was the first lawyer to apply for admission to practice in this new tribunal, September 1, 1831.

In consequence of some business matters Judges Parker and Scott exchanged circuits for a few months, but at September term, 1832, Judge Parker appeared and so continued till his death in 1836.

In the following June, 1837, Hon. I. R. Douglass, having been appointed judge of the court, took his seat and presided as such till his death in 1850.

Hon. Richard Parker, son of the former judge of that name, was appointed to the position made vacant by the death of Judge Douglass, and took his seat upon the bench at the May term, 1851. In 1859 Judge Parker presided at the trial of John Brown and his associates, who were convicted and hung. The proceedings of those famous trials are to be found in the records intact, and will be noticed

in the chapter devoted to the "John Brown Raid." Judge Parker is still living (1890) in his quaint and comfortable mansion at the southern edge of Winchester. The edifice was built by Judge Hugh Holmes, at the beginning of this century, on a plan furnished by the illustrious statesman and president, Thomas Jefferson, being one of two designed by the author of the Declaration of Independence, the other being in Staunton. The venerable Judge Parker, although now nearly eighty years of age, walks as erect and seems as hale and hearty as ever. He is of medium stature and compactly built.

At the February term, 1860, Hon. John Kenney, judge of the Twelfth Judicial Circuit, held a special term in consequence of the absence of Judge Parker, but from October, 1861, a break in the proceedings of the court occurs, nothing being recorded, no business, evidently, transacted, with the exception of the record of two judgments confirmed by the Court of Appeals at Richmond. Then a hiatus occurs till May, 1865, when the Circuit Court is opened at Shepherdstown, with Hon. L. P. W. Balch, judge of the Tenth Judicial District of West Virginia, and William A. Chapline, clerk of said court. William Rush was appointed by the court sheriff of the county.

April 10, 1866, Judge Ephraim B. Hall was appointed and presided till March, 1867, when Joseph A. Chapline was invested with the ermine and presided till 1870, when Judge Hall again came to the front in September of that year.

September 12, 1871, the Circuit Court having been removed from Shepherdstown in consequence of the restoration of the county seat to Charlestown, met in Lee Hall with Hon. Thayer Melvin, judge of the First Judicial Circuit presiding, but the November term of the same year Judge E. B. Hall once again took the judicial reins and held them till the September term, 1872, when Judge John Blair Hoge was elected.

In November, 1872, Robert T. Brown was restored to his former position, as clerk of the Circuit Court which he had so ably and acceptably filled for many years.

In March, 1877, Mr. Brown died, and Judge Hoge appointed Bushrod C. Washington clerk of the court to fill the unexpired term. R. T. Brown had been clerk of this court from 1831, nearly fifty years, and resolutions of respect were ordered to be spread upon the minutes of the court. A meeting of the bar and other persons was held with Hon. Andrew Hunter as chairman. Hon. D. B. Lucas drew up the resolutions and, after their passage, they were duly recorded.

Hon. Charles James Faulkner, Jr., was elected in 1880, judge of the Circuit Court, and presided for the first time at the January term, 1881. Judge Faulkner served till his election as United States Senator from West Virginia, in 1887, when Hon. Frank Beckwith, of Charlestown, was appointed to fill the unexpired term, Judge Faulkner of course having resigned. Hon. Joseph S. Duckwall was elected in the fall of 1888 and is the present incumbent.

After B. C. Washington's term of service expired Frank Lynch was made clerk and served till 1887, when T. W. Latimer, the present incumbent, was elected.

The following are the sheriffs who have served, from the organization of the county to the present time: 1801, William Little; 1803, Joseph Swearingen; 1805, Alexander White; 1807, John Briscoe; 1809, George North; 1811, Daniel Collett; 1813, Abraham Davenport; 1815, Van Rutherford; 1817, John Packett; 1819, Daniel Morgan; 1821, Jacob Bedinger; 1823, David Humphreys; 1826, James Hite; 1828, William P. Flood; 1830, Carver Willis; 1832, Richard Williams; 1834, John T. A. Washington; 1836, John Packett; 1838, George W. Humphreys; 1840, Sebastian Eaty; 1842, Richard Duffield; 1844, David Snively; 1846, John Moler; 1848, George Reynolds; 1850, David Humphreys; 1851-52, Fontaine Beckham, a portion of the time; 1852, John W. Moore; 1855, Robert Lucas; 1858, James W. Campbell; 1860, Joseph Crane; 1861 to 1865, a sheriff did not amount to much in Jefferson, as the military, on one side or the other, were amply sufficient. West Virginia having been sliced off of the Old Dominion, whether she wanted it or not, a sheriff would go stark mad in trying to find out where his jurisdiction lay—what State he was living in. In 1865, however, when matters again became comparatively normal, William Rush was sheriff; 1867, T. W. Potterfield; 1870, George W. Chase; 1873, Edward Tearney; 1876, Eugene Baker; 1880, John S. Moore, elected, died, and his son George filled the unexpired term; 1884, J. Garland Hurst; 1888, Eugene Baker, present incumbent.

CHAPTER XVIII.

CHARLESTOWN.

EARLY SETTLERS AND SETTLEMENTS—BRADDOCK'S ROUTE—THE OLD RUIN—ESTABLISHMENT OF THE TOWN—CHARLES WASHINGTON—AN EARLY RACE-COURSE—PRIMITIVE SPORTS—CAPT. WILLIAM CHERRY—THE FAMOUS OLD TAVERN—ILLUSTRIOUS GUESTS—MILITARY COMPANIES—SOME EARLY MERCHANTS—OPENING OF SCHOOLS—BUSINESS PROSPECTS—THE MEXICAN WAR—GALLANT OFFICERS—COL. HAMTRAMCK—OLD ST. GEORGE'S CHAPEL—A PICTURESQUE RUIN—SKETCH OF THE ANCIENT LANDMARK—ITS ORIGIN—ZION'S EPISCOPAL CHURCH—PRESBYTERIAN CHURCH—BAPTIST CHURCH—METHODIST CHURCH—CATHOLIC CHURCH—COLORED CHURCHES—SCHOOLS—THE PRESS—SOCIETIES—PUBLIC OFFICERS—LAWYERS—ENTERPRISES.

NOT long after the creation of Frederick County in 1738 and its organization in 1743, Lawrence Washington, elder brother of the afterward illustrious Gen. George Washington, came into this section and purchased numerous tracts of land, lying principally in what is now Jefferson County. He bought mostly from Lord Fairfax, but a number of plantations from other persons as well. He never resided in the Valley, but remained upon his estate, afterward known as Mount Vernon, which at his death passed into the possession of his brother George. Samuel Washington also came to the great Valley and purchased land, where he and his descendants lived and became locally prominent men. Samuel was one of the justices of Frederick County before the Revolutionary period, and in 1771 was appointed colonel of the militia of that county, in which position he had the honor of selecting as one of his captains the afterward famous Gen. Daniel Morgan, the hero of Cowpens. Morgan at the time was an obscure farmer living near Battletown, from whom the title undoubtedly originated, in consequence of the numerous personal rencounters in which the redoubtable Daniel was said to have been engaged.

Charles Washington, the younger brother of George Washington, an amiable, modest, and dignified gentleman, also came to what is now Jefferson County, purchased a large tract of land and settled near the present site of Charlestown, for whom it afterward was

named. The nucleus of a town was here as early as, possibly, 1755, when Braddock's army, or at least one of the regiments of his unfortunate command, passed through this section. And in this connection a word of explanation in regard to the route taken by Gen. Braddock may not only serve to reconcile some misconceptions in regard to it, but at the same time be of interest: Braddock arrived at Alexandria with two regiments of English regulars, and after making the necessary preparations for his long trip, started westward. One regiment proceeded out through Maryland to Frederick, the other more directly westward to Winchester by what was known as early as 1750 as the "great road to Alexandria," which ran through Berryville. The first portion after a short rest at Frederick, Md., proceeded across the Potomac somewhere above Harper's Ferry, possibly at the Pack-horse Ford near Shepherdstown, and so on to the vicinity of what is now Charlestown, where they remained about a mile west of that site till they received orders to march forward and join the other regiment which had gone to Winchester, and where Col. Washington joined the force with his Virginians. Braddock was with the force at Winchester, where it is also said that Benjamin Franklin met the party. Winchester being the only town on the then Western frontier, supplies, pack-horses and wagons were there obtained, after which the little army moved forward by the "Warm Spring road" (so called as early as 1750), it being the only regular road then laid out bearing to the northwest. The force from near Charlestown, or rather its site, joined the main portion to the westward of where now stands Martinsburg, but which at that time had no existence. The entire party then moved, by way of the Warm Springs (Berkeley Springs), to its sad fate not long afterward. This understanding of the matter explains the fact of so many "Braddock roads," and makes it entirely reasonable that Frederick, Md., Charlestown, Berryville, Winchester, Martinsburg, and a dozen other localities, should each have one of the rash and unfortunate general's "roads" in their vicinity, as well as one of the "wells," his soldiers are credited with having dug.

Charlestown has in its vicinity one of these wells, and the "road" is plainly pointed out by the vista in a stretch of woods not far to the west of the town. Now whether there was a town or anything resembling a village at this early day (1755) is not certainly known, but there was certainly a mill, and perhaps a blacksmith shop along the little creek that passes by the ancient village. The mill was there be-

fore 1750, and of course a residence or two. The location is so beautiful, the scenery so delightful, and the air in consequence of its elevated and protected position, so healthful, of the Charlestown of to-day, that it could not have failed to attract the attention of the early settlers, to say nothing of the splendid church whose ruins still give evidence of its colonial grandeur, that was right in their midst.* The population of this section was almost entirely made up of adherents to the established church, the Church of England. Charles Washington resided here in a log cabin, and it is more than probable that before 1770 there was considerable of a village on the present site of Charlestown. At the date given and for sixteen years thereafter it had not been established by law, as Winchester, Stephensburg, Mecklenburg and Martinsburg had been, but the village evidently grew rapidly, so that by the close of the Revolution, its proprietor, Charles Washington, in conjunction with a number of other gentlemen, applied to the General Assembly of the State to have it established by an act of that body, which was accordingly done as follows:

(Passed October, 1786.)

CHAPTER LXXX.—*An act to establish a Town on the lands of Charles Washington, in the County of Berkeley.*

BE IT ENACTED BY THE GENERAL ASSEMBLY, That eighty acres of land, the property of Charles Washington, lying in the county of Berkeley, be laid out in such manner as he may judge best, into lots of half an acre each, with convenient streets, which shall be, and is hereby established a town, by the name of Charlestown; that John Augustine Washington, Robert Rutherford, William Darke, James Crane, Cato Moore, Benjamin Rankin, Magnus Tate, Thornton Washington, William Little, Alexander White, and Richard Ransone, gentlemen, are hereby appointed trustees of the said town, and that they, or a majority of them, shall have full power from time to time, to settle and determine all disputes concerning the bounds of the lots, and to establish such rules and orders for the regular building of houses thereon, as to them shall seem best; and in case of the death, removal out of the county, or other legal disability, of any one or more of the said trustees, it shall be lawful for the remaining trustees to elect and choose others in the room of those dead or disabled, and the person or persons so elected, shall be vested with the same powers and authority as any one in this act particularly appointed. So soon as the purchasers or owners of lots within the said town shall have built thereon a dwelling-house, sixteen feet square, with a brick or

*More extended notice of this famous old ruin will be found under the heading of "The Churches."

stone chimney, such purchaser and owner shall be entitled to, and have and enjoy, all the rights, privileges, and immunities, which the freeholders and inhabitants of other towns in this State, not incorporated, hold and enjoy.

The proprietor gave for the use of the town the four corner lots upon which now stand the court-house, post-office, jail, and the row of buildings on the northeast corner of the two intersecting streets where the buildings mentioned are located. In the list of trustees of the town are several well known names—names that have given luster to the community whereof they were a part: Gen. William Darke, a Revolutionary hero; Hon. Robert Rutherford, member of Congress; Hon. Alexander White, the distinguished lawyer and member of the convention of Virginia which ratified the national Constitution; Cato Moore, one of a line of eminent citizens and lawyers; Richard Ransone, the two Washingtons and others.

At the time of the establishment of Charlestown by act and name there must have been considerable population and business. It contained two or three good taverns, and a number of stores and shops, and it was the center of the sporting gentlemen of the day throughout the entire valley. The first advertisement or mention of horse racing occurs in April, 1786, six months before the above act was passed. There is no mention in either of the two Winchester papers of 1787-88 of any race-course, but the following copied from the *Virginia Journal and Alexandria Gazette*, shows that the lovers of horseflesh of Charlestown were far advanced in the "sport of speed:"

TO BE RUN FOR OVER THE COURSE NEAR THIS PLACE,
ON TUESDAY THE 9TH DAY OF MAY NEXT,
AGREEABLE TO RULES OF THE FRED-
ERICKSBURG JOCKEY CLUB,

FOR A PURSE OF FORTY POUNDS.

Free for any horse, mare, or gelding the best two in three 3-mile heats. Horses to be entered with Capt. William Cherry, the day before the race; subscribers paying thirty shillings entrance money, or double at the post; and non-subscribers forty shillings, or double at the post.

On Wednesday the 10th day of May, will be run for, over the same course, agreeable to the same rules, the Entrance Money of the day preceding, the best two in three 3-mile heats.

Managers will be appointed for conducting the races and to determine all disputes that may arise.

CHARLES-TOWN, BERKELEY Co., VA., April 8, 1786.

The Capt. William Cherry spoken of in the above advertisement was an old Revolutionary hero, and proprietor of the famous "Old Cherry Tavern," which was occupied for nearly a century, and which was only demolished a few years ago to give place to modern improvements. This ancient hostelry in its early prime sheltered many of the great historic characters of the infant days of the Republic, and even for half a century after the Revolution its rude walls resounded with the hilarity of the "bloods" of the lower valley. Here Washington and Jefferson and Madison and La Fayette no doubt hobnobbed over their French and Spanish wines, for those worthies and many more visited this section—Washington frequently. Here, too, that brilliant, erratic and misguided soldier of fortune, over-ambitious for self, but never a traitor to the American cause, Gen. Charles Lee, and his friends, Gen. Horatio Gates and Gen. Adam Stephen, drank many a bowl of punch, for they were boon companions, high livers and generous drinkers, all.

Several other taverns were kept in Charlestown about the beginning of the century. Thomas Flagg was proprietor of one and shortly afterward Robert Fulton opened one. In those early days taverns, or ordinaries, as they were called, were more plentiful in towns than they are now, and possibly fully as well conducted. Traveling was mostly on horseback, and the traveler going on long journeys must, after twenty or thirty miles of riding over the miserable roads of that day, halt toward evening for rest. No railroads stretched their iron arms from point to point to whisk the anxious merchant or pleasure seeker from his very door almost hundreds of miles in a few hours. Therefore they must have the handy tavern at frequent intervals.

In the *Farmers' Repository* of 1808 may be found the following advertisement, which shows that the ancient sport of horse-racing was still kept up:

The Charlestown races will commence on the 2d Wednesday in October, 1808. Purses of 100 dollars for the 1st day; 60 dollars for the 2d day. To be conducted under the rules of the Charlestown Jockey Club. Four horses to start each day. Entrance 5 per ct.

GEORGE HITE,
JOHN ANDERSON.

The military spirit at this date, 1808, seems to have been quite popular, as there were two companies organized, but they were possibly scenting the battle between their own and the mother country that

was approaching with silent but sure tread, for Jefferson has never been behind when the call for her sons to gird on their armor has been raised. Capt. Hite's "Jefferson Troop of Horse" and Capt. Saunder's "Charlestown Blues," are both ordered to meet for parade in the *Repository* of April 1, 1808.

Two of the prominent mercantile firms of 1808 were George and J. Humphreys and W. W. Lane, who kept general stocks of goods. Daniel Annin was a druggist, or at least kept a stock of certain kinds of drugs. He advertises 160 pounds of the best Peruvian bark, 50 bottles castor oil, 10 gallons lemon shrub, and 64 gallons flax-seed oil. Ferdinando Fairfax, of Shannon Hill, advertises two barrels of apple brandy. Aaron Chambers and Benjamin Eagins were tailors; William Morrow and John Lemon were weavers; Charles G. Richter was an ornamental hair-dresser, and William Cordell taught an evening-school. Considerable building seems to have been going on about 1810 to 1815, when the population had grown to not far from one thousand. Good schools were opened, several churches built, and altogether the little village seemed to have a hopeful future.

The Lower Valley in the Mexican War.—The counties of Jefferson and Berkeley were principally instrumental in raising the volunteers sent from the lower valley to the Mexican war, and a number of the officers of the regiment contributed by Virginia were also from these counties. The regiment was composed of the full complement of ten infantry companies, but was increased by consent of the War Department to ten, and before the close of the war to fourteen companies. It was mustered into the service in December, 1846, and January, 1847, and sailed in transports from Fortress Monroe in the latter month, landing at the entrance of the Rio Grande the last of February. Thence the regiment proceeded in steamboats up the river named and the San Juan to Camargo, from which place it marched in detachments by way of Monterey and Saltillo to Buena Vista, the battle at that point, however, having been fought before its arrival. The counties of Berkeley and Jefferson each sent one company to this regiment. The officers of the Berkeley company were: Ephraim G. Alburtis, captain; Otho H. Harrison, first lieutenant; David W. Gray and George W. Chambers, second lieutenants. The officers of the company from Jefferson were: John W. Rowan, captain; John Avis, first lieutenant; Lawrence B. Washington and William McCormick, second lieutenants.

John F. Hamtramck of Jefferson County was appointed colonel of this regiment. He was a native of Michigan, and when but sixteen years of age was a sergeant in the United States army, on duty in the Northwest. For gallantry in an action with the Indians and British, July 19, 1814, the brave young Sergt. Hamtramck was appointed a cadet in the United States Military Academy, where he was graduated in 1819. He resigned from the army in 1822, afterward settled in Jefferson County, and at the time of his death, in 1853, was one of the justices of the county of his adoption. Col. Hamtramck was a gentleman of fine military instincts, a gallant and fearless soldier, and a rigid disciplinarian of the old school. His memory is revered by all who knew him, and his name lives in the honor paid him by christening the old time crack company of Shepherdstown, the "Hamtramck Guards."

Upon the return of Gen. Taylor to the United States on leave of absence in October, 1847, the command of the army of occupation devolved upon Gen. Wool, and Col. Hamtramck succeeded Gen. Wool in the command of the division stationed at and near Buena Vista, which command he retained until June, 1848, when the army began its homeward march.

Thomas Beverly Randolph, of Warren County, was appointed lieutenant-colonel of this regiment. He had entered the army from the military academy at the beginning of the war of 1812, and distinguished himself in service on the northern frontier, especially in the attack on Fort George, Canada, in May, 1813. He resigned from the army soon after the close of the war, and retired to private life. Col. Randolph was an excellent officer and a cultured gentleman.

George A. Porterfield, of Berkeley County, a graduate of the Virginia military institute (now president of the Charlestown bank), was elected first-lieutenant of a company raised in the city of Richmond in June, 1846, and received into the service in December of the same year. The other officers of this company, all of whom were educated at the Virginia military institute, were: Edward C. Carrington, captain; Carlton R. Munford and Henry W. Williamson, lieutenants. On July 10, 1847, Col. Porterfield was appointed adjutant of the Virginia regiment, and October 17, of the same year, assistant adjutant-general to the division at Buena Vista, relieving Capt. Irwin McDowell, which position he held till the end of the war.

CHURCHES AND SCHOOLS.

Old St. George's Chapel.—One of the most singular as well as unfortunate results of the proneness of humanity to forgetfulness is evidenced in the fact that all knowledge of the date of the building of the some-time splendid Chapel of St. George has entirely escaped the memory of the oldest residents of even the vicinity of the picturesque ruin that lies in such close proximity to Charlestown. Even Bishop Meade, who wrote extensively in regard to the early churches of the denomination that he so much honored, knew nothing of the origin of this grand old landmark of colonial days. He merely says, in his elaborate sketches of the "Old Churches and Old Families of Virginia," that it was an old ruin when he was a boy, and places the date of its erection some time between 1760 and 1770. There are actually no records, in the United States at least, in regard to the origin of this old church, for had there been, Bishop Meade would have had access to them. It is inexplicable, for the devout and talented bishop has full and satisfactory accounts of many other churches that antedate St. George's by at least one hundred years. Just why the date of building is set down as 1760-70 does not appear, but probably arises from the fact that Norborne Parish was created between the dates named, but it does not follow that the chapel was built synchronologically with the creation of the parish. Now, the new parish, cut from the northern third of Frederick Parish, which extended from the upper or southern line of what is now Shenandoah County to the Potomac, and from the Blue Ridge Mountains to the Alleghanies, was named in honor of Norborne Berkeley, Baron de Botetourt, who was governor of the colony of Virginia between the dates named above, 1760-70. But the building may have been erected before 1760, and to bear out that idea there seems to be evidence in Hening's Statutes at Large, where a church is referred to in an old statute, wherein mention is made of one of the chapels being more costly than any of the others. This mention occurs about the time that the church officials were displaced and a new set appointed, in consequence of the misappropriation of the funds raised for church purposes. A portion of those charges may have had reference to the extravagance indulged in by the dispensers of the people's money. But it is altogether probable that private contributions materially assisted in the erection of the splendid colonial chapel. There was considerable stir in church-building about 1752 and a little later, when Lord Fairfax gave a num-

ber of sites for churches in various sections, and St. George's may have been commenced at as early a date as that given. Near where it was located there were many wealthy Church of England people, who would have taken pride in outdoing all their neighbors in the size and magnificence of their chapel. At any rate, the present ruin was once grand for its time. The walls were twenty-two inches in thickness, and constructed of stone quarried in the vicinity. The rest of the material is believed to have been brought from England, as there were no manufactories of the articles used therein in the colony at that time. The roof was covered with sheet-lead. The window and door frames were of cedar wood; the floor was laid in tiling; the high-backed pews were of oak and the pulpit of the same wood, elaborately carved and projecting from the wall considerably. The finishing and furnishing was rich, tasteful and harmonious. There were numerous graves marked by tombstones fifty years ago, but time and the ruthless hand of man have left not a trace of the latter and scarcely any indication of the former. The ruin stands just as it did thirty or forty years ago, with barely any diminution in size. It is ivy-hung now as it was then. In summer it is an interesting and beautiful sight to behold the vines clinging and swinging in the soft breezes to the gray old walls that have stood there for 125 years. Through that once ornamented doorway Washington and many other illustrious men of his time often entered to take part in the ministrations led by Rev. Alexander Balmaine and Rev. Charles Mynn Thruston, the patriotic parson-soldiers of the Revolution. The venerable pile is situated in an uncultivated field on the lands of Col. H. B. Davenport, about one mile from Charlestown, and the straggling grove of trees surrounding it seem endeavoring to shelter their ancient friend from the rude winds, some of them, indeed, with their now leafless arms.

Zion Episcopal Church.—Norborne Parish, in which this church was originally situated, and in which it continued to be for about fifteen years, even after the separation of Jefferson from Berkeley County as has been previously stated, was created in 1769. The Episcopalians, until the erection of Zion Church, worshiped at the old chapel south of Charlestown, and the ministers of the parish, as far as can be ascertained, were: Revs. Sturges, Veasy, Wilson, Bernard, Page, Heath, Wilmer and John Price. These covered the time from about 1770 to 1813. During the pastorate of Rev. Benjamin Allen, who began his labors in 1815, the parish of St. Andrews was created, and about the

same time, 1817, the first Zion Church was built. Since that date seven district parishes have emanated from the same source, viz.: Charlestown, Shepherdstown, Harper's Ferry, Martinsburg, Bunker Hill, Smithfield and Hedgesville. St. Andrews Parish was coterminous with the limits of Jefferson County, and was the mother of four of the above district parishes. Rev. Mr. Allen exercised his ministry at twelve points included in the seven parishes just named, and for nine years, when he was succeeded by Rev. Benjamin Bosworth Smith, subsequently made first bishop of the diocese of Kentucky, and afterward the venerable presiding bishop of the Episcopal Church in this country. Rev. Alexander Jones was next rector for twenty-three years. During his incumbency, in 1838, the parish was subdivided by the organization of an independent congregation at Shepherdstown and again in 1849, by the separation of St. Johns Church, at Harper's Ferry. In his time also a second enlarged church was built which burned to the ground a few months after its completion. The congregation at once set to work to restore it, and the present still further enlarged building was consecrated, in 1852, under the charge of Rev. Dudley A. Tyng, son of Rev. Dr. Stephen H. Tyng, of New York. During the late war this church was sadly disfigured by the Federal soldiery, and in 1867, when Rev. Dr. W. H. Meade, a grandson of Bishop Meade, took charge of it, it was in a sad condition. Several years ago the congregation lost its rectory by fire, and the new church was injured by a storm, but notwithstanding all these misfortunes the church is stronger than ever to-day. They have lately erected a beautiful chapel on the main street of Charlestown, which gives evidence of the prosperity of the church. Rev. Dallas Tucker is the present pastor, having succeeded Mr. Meade April 22, 1883.

Presbyterian Church.—The first Presbyterian Church in the territory now comprised within the boundaries of Jefferson County, according to Foote, in his "Sketches of Virginia," was organized about 1762, near the headwaters of Bullskin Run, probably near the present Summit Point, or Stone Chapel. The next was at Shepherdstown (then Mecklenburg) some time prior to 1775. Then followed Elk Branch, an off-shoot of the Mecklenburg Church, after 1775, and then Charlestown Church (not called by that name, however, until ten years afterward), but in common with the organization at or near the Bullskin, was known as "Hopewell." These societies called Rev. William Hill, a licentiate of Lexington Presbytery, to become their pastor,

in 1792. Up to this date all these churches relied upon the visits of missionaries, and occasional "supplies," almost identical with those grand old soldiers of the cross the Methodist brethren term "itinerants." Mr. Hill was the first regular pastor of these associated bodies. He remained here until the year 1800, when he received a call to the church at Winchester, and was succeeded by Rev. Moses Hoge, who labored here until 1807. The Charlestown Church was then for about eight years without any regular pastor, but was visited frequently by Rev. Mr. Kennon, of Berryville, and other ministers, until Rev. John Matthews became its pastor in 1815. At the time of Mr. Matthews' selection as pastor, the society was reorganized by the election as ruling elders of Messrs. James Stephenson, Robert Worthington, Robert Slemmens, Thomas Likens and Andrew Woods. Upon the resignation of Dr. Matthews, in 1825, Rev. William C. Warton supplied the pulpit until 1829, when Rev. Septimus Tustin became pastor. Mr. Tustin resigned in 1836 and was succeeded by Rev. Theodore Simpson, who was followed, in 1842, by Rev. Warren B. Dutton, who continued in charge of the church until 1866, when Rev. A. C. Hopkins succeeded to the pastorate, and has ably and acceptably filled the position since that time. Under the ministrations of this gentleman the church has prospered and he now enjoys presiding over a truly harmonious congregation.

The first house of worship was a small stone edifice in the southern portion of the town, but this was replaced in the early part of the century by another of like material, but larger. In 1851 a brick church was erected on the main street of Charlestown on a most eligible lot donated by Mr. John Stephenson, who afterward gave other lots for the benefit of the church. Rev. Mr. Dutton was instrumental in having many improvements added to the church property, and in its preservation during the late Civil war, and who deserves great credit for his untiring fidelity to his trust. In the division of the Presbyterian Church in 1838-39, in which Rev. Dr. Hill, the first pastor of the Charlestown Church took such active part, this congregation adhered to the old school portion, and in 1861 warmly espoused the Southern church side of the controversy. A number of young men have entered the ministry who were reared in this church, and it has always contributed liberally to all worthy objects. It is strong in membership and some of the most influential citizens of the county seat as well as surrounding country, claim allegiance to its venerable associations. The

cemetery dedicated to the use of the church contains the remains of many of the noted men and women of Jefferson County, running through nearly a century, and a stroll through the hallowed grounds of its "God's Acre," takes one back to the infant days of the Great Republic.

Baptist Church.—From a sketch written several years ago by Rev. T. B. Shepherd, a former pastor of the Charlestown Baptist Church, the main facts of the following are taken: At a very early period in the settlement of the Valley, a Baptist Church was organized at Gerrardstown (now in Berkeley County), but owing to frequent interruptions by the Indians it was removed to Loudoun County, and located on the Ketocton Creek, from which it derived its name. Revs. David Thomas and James Ireland seem to have been the first Baptist ministers, in addition to Rev. David Gerrard after whom the above town was named, who preached in the Valley of Virginia, or at least in the portion now comprising Jefferson County. One knows not whether to admire most the zeal of those old missionaries or that of the hearers; the one traveled fifty or sixty miles to preach the Gospel, and the other journeyed as far to hear it. Frequently a meeting would be announced a year in advance, and at the appointed time the people would come for many miles around, and remain for a week or more attending religious services. The Baptists were the most uncompromising advocates of soul-liberty. They wrote and plead for a total non-interference by government with religious matters, and Father Ireland, as he was termed, sleeps in the old Buck Marsh burying ground, near Berryville, but the principles he advocated have spread over the Continent. About 1850 the Zoar Church was organized, mainly through the instrumentality of Rev. Christopher Collins; in July, 1856, its place of worship was removed to Charlestown, and in January, 1858, it directed its pastor, Rev. J. A. Haynes, to contract for the building of a house of worship. Dr. Haynes resigned on September 2, 1860, and was succeeded by Rev. T. B. Shepherd, under whose ministry the basement of the house was finished for a lecture-room, and a large congregation gathered. During the war the house was occupied by the Federal troops as a stable, the entire building excepting the roof and walls being destroyed. Like many other societies whose church buildings were thus destroyed during the war, it presented a claim for reimbursement which has never been paid. In August, 1872, the present fine structure was finished, and the Potomac Association met with this church, at which

session thirteen churches withdrew and formed the Shenandoah Association. Thus, under great difficulties this denomination has grown, until now its membership is quite strong and all its surroundings are in a prosperous condition. After Mr. Shepherd came Rev. Frank McGee, who was followed by Rev. Frank Dickson, the present able and popular pastor.

Methodist Episcopal Church.—Methodism in Jefferson County runs back possibly to as early a period as any of the other denominations that began to take root after the American Revolution, but it is not probable that there was any organized church in Charlestown earlier than from about 1805 to 1815, at which latter date a society of this denomination was organized in Shepherdstown. Charlestown being quite a considerable village in 1800, and being upon the highway to the upper settlements of the Valley, it is certain that the voice of the itinerant Methodist preacher must have been heard at various portions of Jefferson County and especially at this point. Owing, however, to the population being largely either Episcopalian or Presbyterian, no Methodist Church was built until a comparatively late date. The society has grown of late years and now has a very comfortable church building and a good membership. The present pastor is Rev. James S. Gardner, D. D.

Catholic Church.—Not until the present year, 1889, has this denomination had a church edifice in the pleasant town of Charlestown, although in times past mass has occasionally been said at private residences by different priests who visited some one or more of the faith, who could not make it convenient to attend services at the consecrated houses of worship at the neighboring towns. For a long time past Father Wilson, of Harper's Ferry, has been endeavoring to have built here a church, and at last his worthy endeavors have been crowned with success, as on the 26th of May, 1889, a beautiful, neat and well-built edifice was dedicated to the service of God. The congregation, though at present small, is full of the zeal for the promotion of their religious interests, so characteristic of the adherents of the church founded by Peter. Father T. J. Wilson is untiring in his work for the church, and is a gentleman who has the respect of all who come in contact with him, be they Catholic, Protestant or otherwise.

Colored Churches.—The colored people of Charlestown are abundantly blessed with houses of worship, as they have one Protestant Episcopal, one African Methodist Episcopal, one Free-Will Baptist

and one Baptist (straight) Church, also an organization known as "Gallilean Fishermen," which is a benevolent institution.

Educational.—Jefferson County was the first in the State of Virginia to establish free schools, which was long anterior to the late war, and did not arise out of any compulsion or influence brought to bear by politicians. There being a law in regard to the establishment of schools throughout the State, passed way back at the beginning of this century, that law was permitted to become a dead letter, through opposition to it or in consequence of a feeling against "free" schools or on account of its apparent impracticability, in every county save old Jefferson, which went to work and put in operation a system that did honor to the hearts of the officials who were instrumental in bringing it about, and was a credit to those who supported it at a time when it necessarily met with considerable opposition. But there always have been fine schools at Charlestown. Nearly one hundred years ago a classical school for boys was in successful operation there, and as early as 1809 a young ladies' seminary flourished. At present there are two good schools in addition to the public schools, all of which are well attended.

The Press.—The first newspaper published at Charlestown was the *Farmers' Repository*, which issued its initial number Friday, April 1, 1808; Williams & Brown were the publishers. The *Virginia Free Press*, established at Harper's Ferry in 1821, by John S. Gallaher, was removed to Charlestown in 1827, and the *Farmers' Repository* merged into it, the paper retaining the name of the *Free Press*. During a portion of the time John S. Gallaher published his paper at the Ferry, he edited and published *The Ladies' Garland*, a distinctly literary paper, the second one of the kind published in the United States. The *Free Press* was published for many years by H. N. & W. W. B. Gallaher, but at present it is run solely by W. W. B. Gallaher. During the late war the office was entirely demolished by the Federal soldiers, types, presses, everything being consumed by fire. It is useless to say that the paper was *suspended*, which fate would, possibly, have overtaken the editor had the vandals caught him, but he was out in the front in gray, backing his former editorials with his sabre.

The Spirit of Jefferson, another old and stanch Democratic journal, was established in 1844 by James W. Beller, who successfully ran it for a number of years. In 1853 the office was destroyed by

fire, but it was shortly afterward re-established, and passed into the control of Lucas & Donavin. It successively passed into the control of Donavin & Douglass and Benjamin F. Beall, the latter running it for several years anterior to the late war, and owning it up to 1869. The paper was after the last date conducted by Dalgarn & Haines, then John W. Dalgarn and S. S. Dalgarn. From July 1, 1875, George W. Haines has edited and conducted the *Spirit*, and has made a live paper out of it. It, as well as the other two newspapers, are doing excellent work for their parties.

The *Democrat*, edited and published by Mr. Thomas H. Mason, is a comparatively new candidate for patronage, it being established January 9, 1885. Mr. Mason is a young man of fine attainments and he publishes a very respectable paper.

SOCIETIES.—*Jefferson Chapter No. 5, R. A. M.*—About forty years ago Jerusalem Chapter, Royal Arch Masons, obtained a charter from the Grand Chapter of the Commonwealth of Virginia, but it was permitted to partially lapse, and Jefferson County being attached to the new State of West Virginia so complicated the Masonic jurisdiction that a new charter under the above name and number was obtained from the Grand Chapter of West Virginia in 1879. The membership of this chapter are among the best and most influential citizens of Jefferson County.

Malta Lodge No. 80, A. F. & A. M.—This lodge obtained its charter about the year 1820, but was re-chartered by the Grand Lodge of West Virginia, December 28, 1872. It is very strong in membership and has a hall very tastefully and comfortably fitted up. They meet Friday nights before the full moon and two weeks following.

Willey Lodge No. 11, I. O. O. F.—This lodge was organized February 22, 1833, and was named after Past Grand Sire John Willey of Baltimore, who introduced Odd Fellowship into the United States from England, where it originated. After the war the lodge was re-organized under the Grand Lodge of West Virginia, and the number changed to 27. It is in quite a prosperous condition.

Olive Branch Encampment No. 16, I. O. O. F., was organized in Charlestown about 1847. *Shenandoah Lodge No. 32, I. O. G. T.*, was organized November 3, 1875, and the Y. M. C. A. began operations on December 12, 1880.

Public Officers.—William L. Wilson, representative in Congress from Second West Virginia district.

Daniel B. Lucas, judge of supreme court of appeals of West Virginia.

Charles H. Knott, State senator, Thirteenth district.

R. Preston Chew and Braxton D. Gibson, members of house of delegates.

Members of county court—William H. T. Lewis, president; John Thomas Gibson, John G. Shirley, Lee H. Moler, Thomas B. Moore.

Clerk of county court—Gerard D. Moore.

Clerk of circuit court—Thomas W. Latimer.

County surveyor—S. Howell Brown.

Prosecuting attorney—Forrest W. Brown.

Sheriff—Albert Davis.

Deputy sheriffs—William A. Morgan, Eugene Baker.

Sealer of weights and measures—V. M. Firor.

Jailer—S. C. Young.

Assessors—R. A. Alexander, C. H. Trail.

Justices of the peace—C. Frank Gallaher, David Howell, D. S. Rentch, A. S. Link, Charles H. Briggs, W. J. Moler, George D. Johnson, Thomas Lock, B. F. Johnson.

County superintendent of schools—Emanuel Schaeffer.

County boards of education—Charlestown district: John T. Colston, president; A. B. Yates, S. S. Dalgarn, commissioners; George T. Light, secretary board.

Shepherdstown district—Joseph McMurran, president; N. S. J. Strider, William Butler, commissioners.

Harper's Ferry district—C. B. Wentzell, president; Richard Henderson, J. G. Flanagan, commissioners.

Middleway district—John P. Kearfoot, president; M. E. Trussell, Samuel D. Engle, commissioners.

Kabletown district—Thomas Lock, president; Daniel Hefflebower, J. W. Roberts, commissioners.

Charlestown Officials.—Mayor, Gustav Brown; recorder, W. L. Hedges; councilmen, C. Mason Hough, William Neill, D. S. Hughes, R. H. Phillips, Henry Dumm, David Howell; solicitor, George Baylor; police-sergeant, Thomas B. Young.

Practicing Lawyers.—Daniel B. Lucas, William H. Travers, George Baylor, James H. Grove, Cleon Moore, A. E. Kennedy, Joseph Trapnell, Frank Beckwith, George M. Beltzhoover, Forrest W. Brown, T. C. Green, Jr., Braxton D. Gibson, Jacob F. Engle, Samuel W. Washington, James D. Butt.

Charlestown Gas Light Company.—President, George W. T. Kearsley; treasurer, David Howell; secretary, S. S. Dalgarn; superintendent, O. M. Darlington.

Charlestown Water Works Company.—President, R. Preston Chew; secretary, T. P. Lippitt; treasurer and superintendent, B. C. Washington.

CHAPTER XIX.

SHEPHERDSTOWN, MIDDLEWAY AND WIZARD CLIP.

FIRST SETTLERS—KOHONK-OU-ROO-TA—THE GERMANS—ESTABLISHMENT OF MECKLENBURG—A FERRY CONTEST—PARTIAL INCORPORATION, 1793—THE TRUSTEE FORM—THE ACT—FIRST OFFICERS—SOME WELL-KNOWN NAMES—THE TOWN RUN—POSTING AND RAILING THE STREETS—TWO NEWSPAPERS. 1795—FIRE ENGINE OF 1796—ADDITIONS TO THE TOWN—CHANGE OF NAME TO SHEPHERDSTOWN—TROUBLE ABOUT THE RUN—MARKET HOUSE—LARGE FIRMS OF 1810—THE “COSSACK” CELEBRATION—INCORPORATION—THE “COMMONHALL” MUNICIPALITY—MAYOR HENRY BOTELER—TOWN OFFICERS—A PEREMPTORY ORDER AND A SCARE—ANOTHER CHANGE IN CHARTER—RELIGIOUS AND EDUCATIONAL—HISTORY OF THE CHURCHES—SHEPHERD COLLEGE—SOCIETIES—MORGAN’S GROVE FAIR—NEWSPAPERS—TOWNS AND VILLAGES—THE FAMOUS LEGEND OF THE “WIZARD CLIP.”

AS heretofore stated, Shepherdstown can undoubtedly claim the honor (and with reasons entirely justifiable) of being the spot whereon the first settlers located when they crossed the Potomac at what was afterward known as the Old Packhorse Ford. The river was known at that early day, and for many years afterward, as the Cohongoroota, Cohongorooton, Cohongoluta, etc., all of them perversions of the original Indian sounds, or name, of that stream. “Kohonk-ou-roo-ta”—wild-goose stream, or “River of the Wild-Goose”—was so termed by the aborigines from the great number of wild-geese that lived upon its beautiful bosom, the note of that bird suggesting the fact—“Kohonk! Kohonk!” The year of the Indian is rated by the same term—so many “Kohonks,” or returns of the wild-goose in his migrations.

When the Germans came down from Pennsylvania and settled here they naturally lived in close proximity to each other, and for the usual reasons—mutual protection and the society of their fellow-man, for the

human race is no exception to Nature's great law of attraction; no exception to the universal custom of all living things: to huddle together. Man is essentially gregarious. Settling thus, together, the sons of *Vaterland* named their little nucleus of a village New Mecklenburg. The precise date of their arrival can not now be ascertained, for there was no court or records at the time in the valley of Virginia. The section where they settled and the entire beautiful valley stretching from the Potomac to the southern boundaries of the State, was a vast fertile and untrod (save by the Indian) wilderness. It was the outer edge of Spottsylvania County, so remote from the settlements in Eastern Virginia as to be thought useless and worthless. The lands were not for sale, and it was several years after these Germans came before even a "grant" was made by Gov. Gooch. Lord Fairfax had not as yet arrived in the colony of Virginia, and had not, possibly, the remotest conception of his immense estate between the Rivers Rappahannock and Potomac, comprising about 5,500,000 acres of the best land on earth. These Germans simply "squatted" on the rich tract of virgin soil about the present site of Shepherdstown, and when Richard ap Morgan, the Welshman, shortly after 1730 obtained his large grant from the colonial government, they paid for their farms, or claims, and received titles from him. Thus the ancestors of many of those who are now living on the original tracts, purchased their farms as stated. What that little village of Mecklenburg was, is now beyond surmise, even. It was, of course, thoroughly German. They doubtless had their school-house and their place of worship, and the language of their fathers must have been universally spoken. This settlement, or beginning of a town, antedates Winchester by twenty years, 1727, or thereabouts, five years before the immortal Washington was born! And here that little village stands, not very much larger than it was over one hundred and fifty years ago. But Thomas Shepherd came in and, purchasing land, went to work to improve the picturesque little hamlet by the river. So, he posts himself off to Williamsburg and gets his town established, the General Assembly of the colony of Virginia in November, 1762, passing "An act for establishing the town of Mecklenburg, in the County of Frederick," as follows:

"I. WHEREAS, It is represented to this General Assembly of Virginia that Thomas Shepherd, of the County of Frederick, hath laid off about fifty acres of his land on Potowmack river, in the said county,

into lots and streets for a town, and hath disposed of many of the said lots, the purchasers whereof have made their humble application that the said land may be established a town, being pleasantly and commodiously situated for trade and commerce.

"Be it therefore enacted by the Lieutenant-Governor, Council and Burgesses of this present General Assembly, and it is hereby enacted by the authority of the same, That the lots and streets so laid off on the said land be, and are hereby constituted, appointed, erected and established, a town, to be called by the name of Mecklenburg; and that the freeholders and inhabitants of the said town, so soon as they shall have built upon and saved their lots, according to the conditions of their deeds of conveyance, shall then be entitled to, and have and enjoy, the same privileges, rights and advantages, which the freeholders and inhabitants of other towns erected by act of assembly in this colony do at present enjoy."

Shepherd, it will be noticed, retained the ancient name of Mecklenburg, by which it was known for many years after the above act. In fact, when the town assumed the "Trustee" form of government in 1793 it was still called Mecklenburg, and so named in the act. It was only on its incorporation, after 1800, that the title Shepherd's Town came into use.

In October, 1765, an act of assembly gave Thomas Shepherd the privilege of establishing a ferry "from his land in the town of Mecklenburg, in the county of Frederick, over Potowmack River, to his land opposite thereto in the province of Maryland; the price for a man three pence, and for a horse the same." But the following year, 1766, this ferry was ordered by the General Assembly to be discontinued, "the same being at a very small distance from a ferry already established from the land of Thomas Swearingen over Potowmac river to Maryland." They did not permit any competition in those lordly old days, or perhaps Swearingen was a better lobbyist than Shepherd. Yet, it may have been unjust to Swearingen to permit a ferry so near to his, he having gone to the expense to establish it.

In November, 1766, public fairs were established at Mecklenburg by order of the General Assembly. Two were to be held annually: Second Wednesday in June and second Wednesday in October, to continue two days each, "for the sale and vending of all manner of cattle, victuals, provisions, goods, wares and merchandise whatsoever." In October, 1778, the General Assembly prohibited by act hogs running at large in Mecklenburg, and it was lawful to kill any swine so run-

ning at large, but the slayer was not to convert the meat of the dead hog to his own use; he had to notify the owner.

The town continuing to grow the citizens were ambitious of ruling their own interests; to have the power to improve their streets; and to make all necessary repairs to roadways leading to the town, and to the ferry-landing; they therefore petitioned the General Assembly to place them under the "Trustee" form of government—a kind of half incorporation—so the following act was passed:

"An Act of the General Assembly of Virginia concerning the Town of Mecklenburg, in the County of Berkeley, passed December 2, 1793.

"SECTION 1. Be it enacted by the General Assembly, that it shall be lawful for the freeholders, housekeepers and free male persons above the age of twenty-one years, who shall have been resident in the town of Mecklenburg and county of Berkeley, one year next preceding the election, to meet in some convenient place in the said town annually, on the first Monday in April, and then and there elect seven fit and able men, being freeholders and inhabitants of the town, to serve as trustees thereof, and the persons so elected shall proceed to choose out of their own body, a president whose authorities shall continue until the first Monday in April in the year succeeding, and no longer unless when re-elected. Every trustee before he enters upon the execution of the duties required by this act, shall make oath or affirm before a justice of the peace for the said county, that he will faithfully perform, etc.

"SEC. 2. The trustees of the said town of Mecklenburg, or a majority of them, shall have power to keep the streets in said town in repair, as also the road from the said town to the ferry-landing, to have the footways in the town posted and paved at the expense of the owners of lots and parts of lots fronting on the said streets, in case the owner shall refuse or neglect to post or pave the same, to remove nuisances out of the streets, alleys and public grounds of the said town, etc;" to determine disputes concerning lots, and the use of the mill-stream running through the town; to levy taxes not exceeding twenty-five cents on each tithable, and seventy-five cents on each hundred pounds worth of taxable property; to purchase a fire engine; to appoint a clerk and collector; to meet once a month, etc.

An election being held the ensuing April, as specified in the act, the result was the selection of the following gentlemen as trustees: Abraham Shepherd, Henry Bedinger, Conrad Byers, Jacob Haynes, John Morrow, Henry Line and William Chapline. At the first meeting in June the trustees being sworn by Joseph Swearingen, a justice of the peace, Abraham Shepherd was elected president of the body, and in July John Gooding was appointed clerk. Numerous rules and

regulations for the government of the trustees were then formulated and passed. The first public business recorded was the complaint of John Morrow, executor of Thomas Shepherd, deceased, against William Brown for "refusing to let the executor take up the mill-stream in the lot of the defendant," a matter that seems to have been one of those disputes so common along streams where more than one mill is located.

An era of improvement commenced at this time, as various measures were taken to get things in proper form in the little village. Jacob Haynes was ordered to have cut a ditch in the meadow of Abraham Shepherd for the better flow of the water "into a sink-hole near Mr. Welch's brick yard," and that "the said Jacob Haynes do receive all private donations for that purpose"—a mode of defraying the expenses of a public improvement that does not obtain to any great extent in this progressive but selfish age. It was also "Ordered that twelve months from this date be allowed for posting and railing the footways on both sides of German Street, from Mill Street to Duke Street; also for posting and railing the footways on both sides of Princess Street, from Washington Street to John Woolford's house, near Rocky Street, and that convenient intervals be left for the passage from the doors into the streets, also at the corners of streets." The posts were "to be made of locust wood at least four inches thick and six inches in breadth, and that the rails shall be at least three inches thick and five inches broad, and nowhere more than ten feet long, and that the posts rise three feet above the pavement," and that "the posts and rails be placed exactly ten feet into the streets and no further." Orders were passed against firing of guns or pistols in the town, galloping of horses through the streets, and hogs running at large. An idea of the population, or rather the value of the property in Shepherdstown at this date (1793), may be gleaned from the fact that \$300 was the bond exacted from the collector of taxes. Maj. Henry Bedinger was appointed treasurer of the town. John Kearsley and Cato Moore were appointed a committee to expend the sum of \$10 in the improvement of Washington Street, and "exhibit to this court a statement of their accounts respecting the same."

At the next election in April, 1795, the inhabitants met at the house of Mrs. Thornberry and elected John Kearsley, Abraham Shepherd, John Morrow, Henry Bedinger, John Eoff, Jacob Haynes and John Brown. John Kearsley was elected president, and John Gooding

was continued as clerk. There was considerable trouble with Mr. William Brown in regard to his damming up the mill-stream, for in addition to the executor of Thomas Shepherd complaining of the matter, Richard Henderson entered suit against him and Philip Shutt and other inhabitants did the same. Geese, about this time, were placed upon the same footing as hogs had been placed and prohibited running at large.

The election of April, 1796, resulted in the choice of the following gentlemen: Henry Bedinger, Abraham Shepherd, John Kearsley, Jacob Haynes, John Hite, John Thornborough and John Morrow. John Kearsley was elected president of the board, and John Gooding clerk. In 1797 John Kearsley, Abraham Shepherd, John Morrow, Henry Bedinger, Jacob Haynes, Philip Shutt and Peter Smurr were elected, and John Morrow was selected by the board as president. At this date there were two newspapers, at least, published in Shepherds-town, for one of the orders of the board of trustees reads: "Ordered that Henry Bedinger cause to be published a notice in the newspapers of this town a petition, etc."

In 1798 the General Assembly passed an act authorizing additions to be made to Mecklenburg, said additions being laid off on the lands of Henry Cookus, William Brown, John Morrow and Richard Henderson, also the ground lying immediately between the town and the water's edge of the Potomac River. At this time, also, the name was changed by act of the General Assembly from Mecklenburg to Shepherd's Town. In this year, at the April meeting of the trustees, Jacob Haynes was appointed to go to Lancaster to purchase a fire-engine, and the sum of \$16 was appropriated to defray his expenses. The justices elected at the beginning of the current official year, April, were the same, with one or two exceptions, as the last, with John Kearsley as president. As an illustration of how the early city fathers economized in the matter of their outlays for public improvements, Martin Entler is ordered to be paid "*eighty cents* for making bridge on the road leading from Princess Street to the river," and Adam Myers *sixty-seven cents* for repairing a bridge on High Street.

Elections were held every April till the change in the form of the government took place in 1820, but enough of the officers have been given to show who were the leading men of those days. In 1799 John Kearsley had a tan-yard on the mill stream, and the owners of the mills laid complaint before the trustees that the said tan-yard was

the means of keeping water from their mills, whereupon the trustees made a thorough examination, and after giving it their "serious consideration and most mature deliberation are of opinion that the said complaint is groundless and absurd." John Kearsley was president of this examining committee.

Some trouble must have arisen between the manufacturer of the engine at Lancaster and the trustees, as an order appears in March, 1800, to the effect that Peter Zin is authorized to proceed to Lancaster and demand from Peter Getz the fire-engine they contracted for or refund the money paid him, with interest. Mr. Zin is furnished the munificent sum of \$5 to defray his expenses to and from Lancaster. This year a market house was ordered to be built at the intersection of King with German streets, on the south side of the street (German). The funds were partly raised by public and partly by private subscription. The building was finished promptly, having been begun in June, and was ready for occupancy in August. Stalls were sold to the highest bidder for cash. John Baker, the noted congressman from this district, who afterward voted solidly with the minority in Congress against any of the war measures of 1812-14, was president of the trustees. He was the husband of Mrs. Ann Mark Baker, the little girl whom Rumsey helped on his steamboat in 1787, and who died not many years ago. The engine must have been received, but there is no note of it in the records, for Henry Line is ordered to build a house for it in May, 1801, on King street, at the distance of twelve feet from the market house. It appears that it was to arrive, but owing to a balance due on it, it was not sent. Walter B. Selby was then commissioned to procure it and pay at his discretion any sum he deemed just. The engine came at last, but was incomplete; so Jacob Haines, the blacksmith, who had in 1786 helped Rumsey to make the iron work of his steamboat, was engaged to complete ye ancient "machine."

In 1811, notwithstanding the evident progress that Shepherdstown was making in her commercial and manufacturing interests, there was considerable depression in money matters, and property was either decreasing in value, or at an entire standstill. A great deal of land was thrown upon the market in order to raise money. Yet Shepherdstown had a number of large mercantile establishments, some of them having no rivals in the Valley. Among those doing large businesses may be mentioned James S. Lane, Bro. & Co., whose store was near

the market house; Walter B. Selby, R. Worthington & Co., and other smaller concerns. Jacob Sensebough was a tailor, and Dr. John Briscoe announced in a newspaper that "having settled in Shepherds-Town with a view of practicing physic, offers his professional services." In 1812, Worthington, Cookus & Co. advertised a large stock of goods, including 6,500 pounds of coffee and 50 barrels of whisky, also a large stock of books. James Brown & Co. open a large stock of goods, "including," as they say, "dry goods, school and other books, among which are 'A sero-ludricro-tragico-comico Tale,' written by 'Thinks I to Myself, Who?'" also, wines, brandy, spirits, Holland gin and rum." Charles Potter opens house painting, glazing and paper hanging business. In 1813, Selby & Swearingen kept all kinds of goods from "silk shawls and changeable lute strings" to "pine plank and bar iron." In 1814 Daniel Stailey, who had been keeping tavern for some time, transferred it to his son, Jacob Stailey. There were a number of other taverns.

August 4, 1814, occurred the famous celebration, glorifying at the downfall of the great Napoleon, and known as the "Cossack celebration." The paper from which these facts are gleaned says it was "for the celebration of the late glorious events in Europe, by which the deliverance of the world and the redemption of our own country from the fear of bondage has been accomplished." In addition to other toasts, toasts were drank to the "magnanimous Alexander of Russia;" "the memory of the great and venerable Kutusoff, the avenger of humanity;" "the illustrious Blucher and Schwartzenberg;" "the restoration of the Bourbons;" "the fate of the remorseless Napoleon;" "the minority in Congress when war was declared" [against England]; "the Emperor of Austria," etc.

In 1819 the two large firms of James S. Lane & Towner and James S. Lane & Tapscott were conducting merchandising, and in 1825 Tapscott & Thompson and Lane & Towner were merchants.

In 1820, the town continuing to grow in importance, an act of the assembly was passed, at the request of the citizens, entitled "An act to amend an act entitled 'An act incorporating Shepherdstown in the county of Jefferson, and for other purposes; passed February 18, 1820."

"WHEREAS, Many inconveniences are experienced by the citizens of Shepherdstown, in the county of Jefferson, in consequence of defects in the charter incorporating said town, for reasons whereof,

"SECTION 1. Be it enacted by the General Assembly, That it shall be lawful for the freeholders and house-keepers who shall have been resident in Shepherdstown three months next preceding an election, to meet at some convenient place in said town annually on the first Monday in April, and then and there nominate and elect by ballot twelve fit and able men, being freeholders and inhabitants of the town, to serve as Mayor, Recorder, Aldermen and Common Councilmen for the same, and the persons so elected shall, within one week after the election, proceed to choose by ballot out of their own body one Mayor, one Recorder and four Aldermen; the remaining six shall be Common Councilmen, whose several authorities as Mayor, Recorder, Aldermen and Common Councilmen shall continue until a new election shall have taken place, and those elected shall have qualified.

"SEC. 2 is in regard to the several officers taking the oath to perform their duties properly.

"SEC. 3. That the Mayor, Recorder, Aldermen and Common Councilmen so elected and their successors shall be and are hereby made a body, politic and corporate, by the name of 'The Common Hall of Shepherdstown,' and by that name to have perpetual succession, with capacity to purchase, receive and possess lands and tenements, goods and chattels, either in fee or any less estate therein; and the same to give, grant, let, sell or assign again, and to plead and be impleaded, prosecute and defend all causes, complaints, actions real, personal and mixed, and to have one common seal and perpetual succession.

"SEC. 4. That the Mayor, Recorder and Aldermen for the time being are hereby declared and constituted justices of the peace within the limits of the said town, which limits shall extend half a mile without and around the said town, and the like jurisdiction in all cases whatsoever originating within the limits aforesaid as the justices of the County Court, etc.

"SEC. 5. That the said Mayor, Recorder and Aldermen, or any four of them (the Mayor or Recorder being one of them), shall have power to hold a Court of Hustings, etc., with the usual powers.

"SECS. 6 and 7 are in regard to removals of officers, in regard to vacancies, etc., and Sec. 8 stipulates how the Common Hall are to be convened or summoned, and it is to consist of not less than eight of the twelve elected, who were called the 'commonhall.'

"SEC. 9. Gives the powers of the 'commonhall.' They were to have all legislative jurisdiction; have power to build a court house,

market house, work house, house of correction, jail and all other buildings deemed necessary for the convenience or benefit of the town, to establish fire companies and purchase fire engines, to regulate and grade the streets and alleys of the town, to pave the same; lay and collect taxes.

"SECS. 10, 11, 12, 13 and 14, provide for the appointment of commissioners of elections; mode of laying taxes; improvements; penalties, etc."

At April court, 1820, the above act was ordered to be recorded, and at a commonhall of Shepherdstown, held on the 3d of April, 1820, Henry Boteler was elected mayor; Thomas Toole, recorder; James S. Lane, John T. Cookus, John B. Henry and John G. Unseld, aldermen. At a court of hustings held the 3d of April, 1820, James Brown was elected clerk of the court; Lewis Wisenall, sergeant; Daniel Miller, constable, and Adam Heyser, coroner.

From shortly after 1820 till 1839 the records of the proceedings of the authorities of Shepherdstown by some means or other have been lost, but during that time a change occurred from the election of twelve councilmen to ten. A number of gentlemen well known in the history of the ancient village occupied the positions of mayor, recorder and aldermen, and among those was Col. John F. Hamtramck, a Mexican war veteran, and after whom the famous "Hamtramck Guards" were named. He was mayor from 1850 till the fall of 1854, when he resigned.

Very little of more than ordinary consequence transpired until the Civil war period is reached. At the beginning of the great conflict it will be remembered that Federal troops were stationed along the Potomac on the Maryland side of the river opposite Shepherdstown, and some reckless persons had fired across at the Federal pickets. In consequence of this firing, the mayor of the town received the following:

HD-QRS. 12TH REGT. IND. VOLUNTEERS,

Dec. 29, 1861.

JOHN REYNOLDS (Mayor), SHEPHERDSTOWN, VA.

Sir: This is to notify you that if the firing upon the pickets from Shepherdstown is not desisted in I shall be under the necessity of shelling your town. I shall deplore resorting to so severe a measure on account of the women and children that may be injured or driven out; but I am satisfied that yourself and the citizens can prevent it if you wish. Be assured that I shall do just what I say, and if any of

my men are killed or injured by those skulkers firing upon them, I shall take ample vengeance.

Very respectfully,

W. H. LINK, *Col.*,
12th Reg. Ind. Volunteers.

This shot from the enemy gave the village a scare that brought together the city fathers in double quick time. They passed resolutions deploring the firing of irresponsible parties, and ordered strict measures to be enforced against any one who should be guilty of the act. They also prohibited the sale of liquor in the town. Appointed a committee of vigilance to assist the town sergeant. The mayor stated that a party had been caught and would be severely dealt with for having fired across the river. These resolutions were, of course, forwarded to Col. Link, and the mayor closed his communication to that officer with the following:

Our town is filled with widows and children, most of them poor, and the entire population are non-combatants. If under these circumstances and in spite of our pledges and utmost vigilance some reckless or malignant person shall elude our vigilance and select this place from which to fire across the river, and from my knowledge of the people, civil and military, I can give assurance in advance that no other will. We solemnly protest in the name of humanity and before the world against vengeance being wreaked upon the innocent, the unprotected and the unoffending.

JOHN REYNOLDS, *Mayor*.

In 1882 J. H. Zittle and other citizens petitioned the Circuit Court to confer upon Shepherdstown a modification in the provisions of the charter of incorporation, by which the mayor and recorder might be elected direct, instead of by the selection of the councilmen, as had been the law from 1816; also for reducing the number of councilmen to five, and to change the date of election from the first Monday in April to the second Monday in March. Judge Charles James Faulkner, Jr., granted the petition, and at the election following in March, 1883, B. F. Harrison was elected mayor, and J. S. Fleming, recorder. The present corporate officers (1889) are: G. W. Humrickhouse, mayor; J. N. Trussell, recorder; James W. Kerney, J. W. B. Frazier, Joseph L. Cookus, John P. Hill and H. F. Barnhart, councilmen.

RELIGIOUS AND EDUCATIONAL.

When the Germans came to the vicinity of the spot where now stands Shepherdstown, they brought with them their religious customs and reverence for the worship of the Divine Master. Without religious

services those pious old emigrants and followers of Luther would have thought their lot hard, indeed. They may not have had for many years after their settlement here, a house set apart specially for service, but they undoubtedly had prayer meetings and exhortations by those best gifted with the power of preaching. And they doubtless were visited occasionally by ministers from Pennsylvania, who held services at the cabins of the settlers. A well-authenticated tradition exists among the Lutherans of the Valley that Rev. Peter Muhlenburg, the father of the Rev. Muhlenburg who was rector of the Episcopal Church at Woodstock during the Revolutionary period, and who threw off his priest's gown for a Continental uniform, and fought gallantly in that struggle, preached at the little settlement of New Mecklenburg about 1729-30. Rev. Mr. Muhlenburg, Sr., as well as his famous son, was a highly educated and eminent minister of the Lutheran Church, having been graduated at the most noted theological schools of Europe. He paid several visits to Maryland and to the new settlement across the river in Virginia, and, as many of the Germans, who reared their rude cabins here, were from the section of Pennsylvania where Mr. Muhlenburg ministered, it is entirely natural that he should have paid a visit to his old friends.* This being the case, the Lutherans can claim the honor of instituting the first religious services in the Valley of Virginia.

Lutheran Church.—The first regular congregation, with a house of worship, in New Mecklenburg was not organized till 1750-60, and the first regular pastor called was Rev. Mr. Bauer, about 1776. He served the congregation several years, and was followed by Rev. Mr. Wiltbahn, who remained three years; then came Mr. Nichodemus, seven years; George Young, four years, and Mr. Weyman, three years. About 1790 Rev. Christian Streit, who had located in Winchester, and who was serving the congregation at Martinsburg and several other points, took charge of the church here and visited it regularly for a number of years. Rev. David Young, of Pennsylvania, succeeded Mr. Streit, and during that gentleman's pastorate, in 1795, the corner-

*As much misapprehension has existed in regard to the denomination to which Gen. Muhlenburg belonged when he left the pulpit for the cause of his country, a word of explanation may be in place here. Episcopalian and Lutheran have each claimed him. He was both. Having been educated as a Lutheran minister, he was called to the church at Woodstock, Shenandoah County, the members of which were all Germans and Lutherans. But Mr. Muhlenburg, finding that the church could not prosper without certain aid from the government (English), he concluded to "conform" to the requirements, and went over to England, took orders in the established church, returned and again became the pastor of the Woodstock church, using the Episcopal service, which at that time differed very little from that used by the strict Lutherans.

stone of the church was laid. Mr. Young dying, Rev. Frederick William Gausinska took charge of the congregation at the beginning of 1802. This gentleman's name appears in the records of the justices on December 8, 1801, where he is granted a license to administer the rite of marriage. He remained but a short time, which was during the period when the church was racked to its foundation with dissensions, induced in part, if not entirely, by the transition from the use of the German to the English language in the service. Mr. Gausinska was succeeded by Rev. Mr. Rabenach, who served several years, but the troubles in the church becoming so grievous, he left for another field. About 1818 Rev. John Kehler took charge, but only remained one year, when, on July 1, 1819, Rev. C. P. Krauth, the able and efficient minister, whose reputation at that day was widespread, became pastor of the church, and soon spread the oil of his splendid abilities and kindliness of heart upon the troubled waters of the perturbed congregation. English services were established, and the church took a new start. Dr. Krauth served about eight years, and in 1827 Rev. Jacob Medtart took charge; 1835, Rev. Dr. Reuben Weier; 1837, Rev. Charles Martin, D. D.; 1842, Rev. Samuel Sprecher; 1843, Rev. Joseph Seiss; 1848, Rev. C. P. Krauth, Jr., son of the former pastor of that name; he remained only seven months, and was succeeded the same year by Rev. B. M. Schmucker; 1852, Rev. J. P. Smeltzer; 1860, Rev. J. J. Miller; 1866, Rev. J. F. Campbell; 1868, Rev. J. H. Bittle; 1872, Rev. Jacob Hawkins; 1875, Rev. R. H. Holland; 1878, Rev. D. M. Moser. During Mr. Bittle's pastorate the church was remodeled, and a new parsonage erected.

Trinity Protestant Episcopal Church.—The history of the Episcopal Church of Shepherdstown, if it had any existence before the Revolution of 1776, can not now be ascertained. It is altogether probable that no movement was made here till about 1780-85, for the inhabitants were mostly of German origin, and they followed the faith of their fathers, not the English church. A church edifice, however, was built about 1785, which was used until 1840, when it was replaced by another, which was used till the present fine structure was erected. From a sketch furnished several years ago by Mr. D. S. Bragonier, the following is taken: "April 5, 1859, Bishop Johns, of Virginia, consecrated the present church building, which was commenced in 1855, and cost about \$10,000. About ten years afterward a chapel was built on the church lot. Both of these buildings are of cut native

stone, and, in connection with the rectory, are considered as fine church property as exists in the Shenandoah Valley. The church is located in the center of a lot, fronting $171\frac{1}{2}$ feet on the main street, with a depth of 206 feet. The rectory is situated on an adjoining street. The church was built through the personal efforts of Rev. Charles W. Andrews, D. D., who was the rector in charge from 1842, until the date of his death, in May, 1875, a period of thirty-three years. He was a man who enjoyed a national celebrity, in the history of the Episcopal church, for his learning and piety, and highly esteemed for the good he accomplished in the community, both as a minister of the gospel and as a public-spirited citizen. The ministers in charge of the church, so far as known, are as follows: Revs. Sturges, Stubbs, Morgan Morgan (son of Morgan Morgan, who was instrumental in building the first Episcopal Church in the Valley of Virginia—the Mill Creek church at Bunker Hill, in Berkeley County), Veasy, Wilson and Page, all prior to 1800. In 1800, Rev. Mr. Heath; in 1810, Rev. John Price (the last rector of St. George's chapel, the ruins of which now stand near Charlestown). After Rev. Mr. Price, until 1817, the church was without a regular minister, and at the latter date Rev. Benjamin Allen took charge, who was succeeded by Rev. Benjamin B. Smith, now the presiding bishop of the Episcopal Church; in 1823, Rev. Alexander Jones, D. D., for fifteen years; 1840, Rev. J. H. Morrison, first resident pastor; 1842, Rev. Charles W. Andrews, D. D., until his death, in May, 1875; October, 1875, until December, 1880, Rev. John P. Hubard; June 1, 1881, Rev. L. R. Mason, the present rector in charge."

Methodist Episcopal Church.—Although there was no church of this denomination in Shepherdstown until some time after 1800, there was no doubt occasional preaching by the itinerant ministers of the Methodists. They passed through this section of country on their way farther up the Valley, and in those early times the traveling preacher preached wherever he could get a congregation together. No opportunity was lost by those old pioneer workers in the vineyard of the Lord to sow good seed wherever they went, and as people in those days were only too glad to hear the word of God expounded, they were not over particular in insisting upon the exact style of creed of the church to which they held allegiance. They were "soldiers of the Lord," and it did not very much matter to them to what denomination their captain belonged, so that he was a godly man and a soul-

saving Christian. So it may safely be inferred that the preachers who carried Methodism way up above Winchester in 1775, scattered a few seeds along their pathway southward. The first organization, however, in Shepherdstown occurred about 1815, and the pulpit was supplied by the "circuit riders," as they were called, who came monthly at first, and then every fortnight. The first house of worship was a small brick building in the southwest part of the town. The names of some of the early ministers were: Revs. Boylston, James Monroe, Robert Caddon and James Larkin. The following are the names and dates of service of the ministers and presiding elders from 1840: David Thomas till 1841; 1841-42, S. S. Rossell; 1841-42, J. A. Collins, P. E.; 1843-44, Joseph Plotner; 1845, John Guyer; 1846-47, W. L. Spottswood; 1843-46, John Smith, P. E.; 1845-49, John M. Green; 1850, John Brown; 1847-50, Henry Tarring, P. E.; 1851-52, John W. Tongue; 1853-54, John S. Deale; 1851-54, George Hildt, P. E.; 1855-56, Elias Welty. In 1857 Shepherdstown circuit was formed, and Revs. James H. March and Samuel V. Leech were the ministers; 1858, James H. March and Thomas Briely; 1855-57, William Hirst, P. E.; 1859, Isaac Gibson and J. M. Little; 1858-65, W. G. Eggleston, P. E.; 1861, Solomon McMullen and J. M. Littell; 1862, Solomon McMullen. In 1864 the feelings engendered by the war caused a division in the church, and the Methodist Episcopal Church South was formed. In 1866 John M. Green was called; 1868-69, G. W. Feelemyer; 1870-71, Albert Jump; 1872, J. F. Ockerman; 1873-74, Henry Nice; 1875-77, John W. Smith; 1878-80, Durbin G. Miller; 1881-82, Charles O. Cook.

Methodist Episcopal Church South.—Until 1864 the Methodists of Shepherdstown had but one church, but the war caused differences of opinion in church as well as other matters, and the close of the great conflict witnessed strife for the possession of the church property. Those who had remained "loyal to the flag," no matter what their numbers were, claimed the church property in consequence of that same loyalty, and the "other kind" of Methodists also laid claim to that which they alleged they had contributed most to build. The government was appealed to and the property was in most instances handed over to the "loyal" saints, through the Federal courts, but just exactly what the Government had to do with the squabble is not quite as plain as the nose on a man's face. True, Rev. Elisha Paine Phelps, sent down to Staunton, Va., to claim the churches for the loyal

crowd, said before the congressional investigating committee of 1869-70 that "as the Northern Methodists had conquered the Southern Methodists just as the Northern soldiers had conquered the Southern soldiers," why of course the property belonged to his side. See! At any rate those Methodists who cast their fortunes with the Confederates had no church when peace once more waved her white wings over this sunny land, so they set about building one, and by 1868 had completed a fine church that cost them \$6,000, which has a membership at present of over 300 souls. The following list comprises the presiding elders and ministers from the new departure in 1864: 1864-66, E. L. Kreglo; 1866, E. R. Veitch, P. E.; 1867, W. S. Baird, P. E.; 1867-69, William G. Coe; 1870, W. C. Cross; 1871, J. B. Fitzpatrick; 1871-72, W. H. Wheelright, P. E.; 1872-75, A. A. P. Neel; 1874-76, Samuel Register, P. E.; 1876-79, J. Lester Shipley; 1877-80, Nelson Head, P. E.; 1880-82, W. G. Eggleston.

Reformed Church.—This denomination is one of the oldest in the Valley, and they were originally known as Reformed Calvinists. Their history is coeval with the settlement of this section, and although they had no church here until a late day, yet they organized shortly after the American war, about 1781-82. This denomination claims to have built the old Opequon Church above Winchester, about 1740, but the claim is disputed by the Presbyterians. At Shepherdstown, however, they had a small, unpretentious church edifice before the beginning of the present century. Rev. Michael Slaughter conducted services here as early as 1780, and was followed by Dr. Charles Meyer, who perfected the organization and remained for a number of years. Since then the following ministers have had charge: Revs. L. Beecher, S. Staley, Robert Douglas, D. G. Bragonier, J. M. Titzell, D. D., Henry Wisler, H. Forney, J. T. Rossiter, J. C. Bowman; B. F. Bausman resigned in spring of 1889, and the place is now vacant.

Presbyterian Church.—There are no records in regard to this church of a very early date, but the denomination is one of the very oldest in the Valley, as has been shown in other portions of this work. The church, or rather, the church society, was organized in 1780 to 1790. The first pastor, as far as can now be ascertained, was Rev. John Matthews, in 1818. Rev. E. C. Hutchison followed Mr. Matthews, and then came John T. Hargave, who ministered to the spiritual wants of his congregation from 1834 to 1852. Henry Matthews then came in charge, and was succeeded by Robert L. Mc-

Murran, and he in turn by E. W. Bedinger, who was followed by James A. Armstrong, Rev. Charles Gheislin. The present church edifice was erected in 1837.

Catholic Church.—The Catholics are usually the pioneers in religion in far distant countries; in sections where there is great hazard to life and health; and their missionaries may be found in all remote sections. It is claimed that some priests of this denomination had penetrated the Shenandoah Valley many years before any settlers had located here, that they had sought out the Indians, and had baptized them into the faith of Rome. One church, at least, was built in the Valley before the beginning of this century (at Winchester). A church was established at Harper's Ferry at an early day, but there has been none at Shepherdstown. Now, however, there is one about to be built, which will make nine churches in a population of 1,600. The site of the new church has been well chosen, and a neat edifice will soon make its appearance.

Colored Churches.—There are two colored churches here—Baptist and Methodist. The Baptist was established through the efforts of Miss Anna S. Dudley, who obtained sufficient contributions in addition to her own gifts, to build and furnish the edifice. It cost about \$2,500, and is a neat and comfortable structure.

Shepherd College.—This institution was established and opened in 1871 for the purpose of affording instruction to young men and women in the English branches, and building upon this foundation a preparatory course in the classics and higher mathematics. In 1873 the State established herein a branch of the State Normal School for the instruction and training of teachers for the public schools of the State. It has been quite successful, and a large number of its normal graduates are now engaged in teaching, whilst many of the graduates of the college department are filling professional and other responsible positions with credit to themselves and honor to their *alma mater*. The curriculum of the institution is adapted to the requirements of the State in the preparation of the youth for the higher institutions of learning—the universities. The classical course embraces a period of four years, and the normal three years. Diplomas are granted: by the regents of diplomas with the title of Normal Graduate, and by the trustees of diplomas with the degree of Master of English Literature. Both sexes are admitted to the schools, but no association within the institution is allowed, the students only coming together at recitations and public assemblages.

The building is of brick, commodious and well adapted to school purposes, consisting of two large study halls and four recitation rooms, and is capable of accommodating 200 pupils. The main building was erected by the late R. D. Shepherd, and the two wings have since been added. The use of the building has been donated to the trustees by Mr. Shepherd Brooks, of Boston, grandson of the original proprietor.

Other Schools.—The Shepherdstown graded school affords ample facilities for a good ordinary business education, free of charge, the course of study being equal to that of any academy or high school in almost any community, and ranks as high in the town as any other school of the same grade. It is well classified and well conducted, and the pupils who stand a satisfactory examination are given certificates that will admit them to the college without further examination.

There are also several private schools in the town, all well conducted, and a public school for colored children, with two competent teachers.

Societies.—Mount Nebo Lodge No. 91, A. F. & A. M., was first organized in Shepherdstown in 1811. They have a membership of sixty and occupy a hall in Billmyer's building. The lodge room is tastefully arranged and fitted up at a cost of nearly \$500. They meet on the first and third Monday nights of each month.

Valley Encampment No. 6, I. O. O. F., was chartered December 5, 1865. They meet on the first and third Mondays of each month. Caledonia Lodge No. 4, I. O. O. F., was organized October 9, 1843, under the Grand Lodge of Virginia, but is now working under the Grand Lodge of West Virginia. They have a neat and comfortable hall over the market-house, and meet every Saturday night.

Potomac Lodge No. 34, I. O. G. T., was organized by D. L. Rentch and J. W. Magaha in 1876. The society was mainly influential in causing the town to go "dry" a few years ago, but it soon became "wet," and now it once more (1890) has lapsed to its "dry" condition. Young Men's Christian Association was organized in 1862, and has done much good work. It is non-sectarian, of course, and is helped in its work by all denominations of Protestant Christians.

The fire department of Shepherdstown is a very efficient body of men. They have an excellent Silsby steam-engine, a hand-engine, two hose-reels, over a thousand feet of hose, and a hook and ladder truck, ladders, axes, etc. The Town Run and a number of cisterns afford an ample supply of water.

Morgan's Grove Agricultural Association is one of the most interesting and useful enterprises of the Valley of Virginia. It has already been of great benefit to the people of Jefferson County, as it gives a splendid opportunity for the interchange of ideas and commodities. It is, possibly, the only free agricultural show on earth. There is no admission fee to the public, and the funds to keep it up are obtained from an entrance charge to exhibitors, hawkers, hucksters, fakirs and people generally who get all the profit by selling their wares. This is just as it should be. It forces the rich agricultural-implement manufacturers and others to pay for the privilege of advertising their goods rather than to make the purchaser pay for the opportunity to see the article that he desires to purchase. The association was formed about six years ago, and was originally known as the "Morgan's Grove Colt Show," but it has outgrown its first modest pretensions, and is now attended by thousands from all sections of this and the adjoining States. The exhibit of September last (1889) was particularly fine, and the attendance very large, the number on the grounds on Thursday, the 5th, being computed at 10,000 persons.

Shepherdstown is on the line of the Shenandoah Valley Railroad, and five miles from the Baltimore & Ohio Road, and immediately opposite on the Maryland side of the river is the Chesapeake & Ohio Canal, running from Cumberland to Georgetown. There are turnpikes leading from the town to Charlestown, to Kearneysville and to Winchester; also good country roads to Martinsburg and other points. Running through the town is a stream of water formed from the outflow of about a dozen springs, which has a fall of 100 feet in a very short distance. This run at one time operated three tanneries, three flouring-mills, two saw-mills, a cotton factory and a woolen-mill.

In addition to the immense beds of limestone which have been quarried and burned into lime for the past seventy-five years, within sight of the town, there are valuable beds of hydraulic cement. The Potomac Cement Mills, a mile below town, have been for years manufacturing large quantities of excellent cement, and the Antietam Cement Company, recently formed, has a large steam-mill on the Maryland side of the Potomac.

As shown in the records of the town on a previous page, there must have been one or more newspapers published in Shepherdstown as early as about 1795, but who published them, and what they were named is not now easily ascertained; the oldest and best informed citi-

zens can throw no light upon the subject; they seem to have been entirely forgotten. In 1815 the *American Eagle* was started by Maxwell & Harper, and in 1823 John Alburtis, who had for many years published the *Gazette* of that town, removed to Shepherdstown and began the publication of the *Journal*. The *Register* was started in 1849 by Hardy & McAuly, who published it till 1851, when J. T. H. Bringman became proprietor, and continued till 1852, at which time John H. Zittle became its proprietor, and published it for nearly thirty years. In 1882 J. W. and H. L. Snyder purchased the establishment, continuing as that firm for some time. The paper is now conducted solely by Mr. H. L. Snyder, and is one of the best sheets published in the Shenandoah Valley.

The Shepherdstown Bank, with Mr. Billmyer as president and Mr. B. F. Harrison as cashier, affords financial facilities ample for the accommodation of the public. There are a number of first-class mercantile establishments, all apparently doing a good business.

TOWNS AND VILLAGES.

Middleway.—This ancient village, formerly known as Smithfield, and familiarly called "Wizard's Clip," or plain "Clip," for short, has a population of about 750 or 800 and is located seven miles southwest of Charlestown. Although the town was known as Smithfield, or Clip, before 1794, yet it was not regularly laid out till that date when John Smith had it surveyed into lots. William Smith, the father of John, came to Virginia in 1729, having been granted, by Gov. Gooch, a large tract of land, which he settled upon. There was, at a very early day, an Episcopal chapel at Smithfield, but the present church was organized in 1830, and Rev. Alexander Jones was the first rector, not stationary, however, only visitant. There are also here a Presbyterian, a Baptist and a Methodist Church. The town is noted far and wide as the spot where occurred the famous operations of the "clipping spooks," doubtless a clever piece of primitive hocus-pocus on the part of somebody who wanted to get some property at a low figure. The same game has been played at divers times and places outside of Virginia. But here's the yarn:

Wizard Clip.—A Pennsylvanian, named Adam Livingston, came to the vicinity of Smithfield about 1790, and purchased seventy acres of land and a house and lot. He immediately proceeded to settle down and have a quiet, comfortable life of it, but alas, for his happy antici-



Henry Shepherd

pations. They were all knocked into a cocked hat by the arrival at his humble domicile of a stranger, in 1794, who, after being entertained as a boarder for some time, fell sick. Now, Mr. Livingston was a Protestant of the tight-laced order, so runs the tale, and when the sick stranger informed the host that he was a Catholic, the said host was horrified in the extreme, but when the request was made that he would like to have a Catholic priest visit him, the landlord nearly went off into a "conniption fit." He, Livingston, calmly but pointedly, informed the Papist that there was no Catholic priest in that neck of woods, and if there had been that he should never darken his doors. The dying man repeated his request, for the sake of his soul, to try and get him some one to shrive him ere he launched into eternity, but no attention was paid to the prayers of the sinking stranger, and he was permitted to sail without his passport. But the heartless Livingston paid dearly for his ungodliness—he was destined to rue the day he refused so reasonable a request. The night of the death, Jacob Foster was employed to act as wakesman to the corpse, but the solitary man comprising the wake had scarcely entered the room of death before the tallow-dip he placed on a table flickered and went out. Other candles were tried, and they all refused to give light on the subject. Foster began to think tolerably hard about this mysterious "dausing o'the glim," and he left the premises something after the style of Tam O'Shanter. The next night operations were commenced in earnest: horses were heard galloping around the house, but there were no horses to be seen, not even a nightmare. These little idiosyncrasies of the offended spirit of the stranger might have been overlooked, but something more cereous than the going out of a candle soon happened: the following week Livingston's barn was burned to the ground and his cattle all died. The crockery in his house took a tumble, his furniture would have a midnight dance, his money disappeared, the heads of his fowls all dropped off, and burning coals would leap from the fire-place and ricochet all around the room. The sound as of shears in the act of clipping could be heard, and his blankets, sheets, boots, clothing and saddles would be all clipped—all cut to the shape of a crescent. This continued for several months, and the vengeance was not visited alone upon Livingston, for an old lady of Martinsburg, it is claimed, who went over to the "Clip" for the express purpose of testing the truth of these wonderful misdoings of the bad spirits, had a nice silk cap all cut to ribbons, and she had taken the precaution to

carefully wrap up and stow away in her pocket the unfortunate head-gear. An old writer states that Livingston "lost much rest," so he applied to some conjurers, but they could not lay the ghosts. Then the wretched subject of these annoyances had a dream (that's the way the novels always get in the explanation). In this dream Livingston was climbing a high mountain, catching at roots and bushes and things, but he got to the summit at last, and he saw an imposing figure dressed in robes, and somebody, in a stage whisper, said "This is the man who can relieve you." He awoke the next morning and resolved to go to Winchester and get Mr. Alexander Balmaine, the rector of the parish, as he wore "robes." But the Episcopal clergyman did not come up to the description of the person he had seen in his dream, so he gave up that idea. He then applied to a Catholic family, who advised him to go to Shepherdstown the following Sunday and see a priest who would be there. He went, and met Father Dennis Cahill, who accompanied him home and tried to exorcise the spirit by simple sprinkling of holy water, but this spirit was none of your ordinary holy-water spirits—oh, no! Father Cahill had to say mass before the "ghost would lay." But it fetched him, and he has never been heard of since. The stranger is now, possibly, a full-fledged angel. What became of Livingston? Oh, he conveyed the "Clip" property to somebody who happened to want it, and went back to Pennsylvania to live, a wiser but a poorer man.

The above facts, or alleged facts, have so often been written that the writer refrains from further detail. The miracle, or rather the story, as given in our own language, appears in a number of Catholic publications, and it is said that it is believed by many persons. One old chronicler of the legend, to clinch the truth of his statement and to place it beyond any doubt whatever, winds up his proofs with the following irrefragible evidence: "Fifty years ago the grave of the stranger could be distinctly pointed out."

Bolivar is a village containing about 350 inhabitants, and lies west of Harper's Ferry three-fourths of a mile. It is incorporated and has considerable trade. During the late war it was the scene of many conflicts, and the heights near it were almost constantly occupied by soldiers of one army or the other. It has a very neat Methodist Church, also a colored Methodist Church, and several other creditable structures, including a printing office. The scenery surrounding Bolivar, like that of the Ferry, is grand.

Leetown, named in honor of Gen. Charles Lee, who settled upon this spot, and near where Gen. Horatio Gates resided, became a village after the death of the brilliant and over-ambitious soldier. It came gradually to bear the name of Lee from his having lived there, but was never established as a town. There is a large spring upon the old Lee plantation which for one hundred and twenty-five years has furnished fine water power.

Halltown contains not much over 100 inhabitants, but a large business is conducted there. It is the site of the Virginia Paper Mills where are manufactured immense quantities of strawboard. The village was named in honor of Capt. John H. Hall, of Hall's Rifle Works at Harper's Ferry, and was located about the time of the completion of the Valley branch of the Baltimore & Ohio Railroad, which passes through it. There is a church, school-house, depot, post-office, stores, etc., here, and it is a very flourishing little hamlet.

Kabletown is situated about seven miles south of Charlestown, not far from the Shenandoah River, and on the Bullskin Creek. It is an old settlement, and there was a fine mill there before the Revolution of 1776. Daniel Kable was an early settler, and it was called after him. The village is situated in one of the richest sections of the country, the lands simply having no superior anywhere.

Duffield's Depot is a station on the line of the Baltimore & Ohio Railroad, six miles from Harper's Ferry, and is a point where a large portion of the produce of the northern section of Jefferson County has been shipped from. It has a church and the usual complement of stores, shops, etc. The population is about 125.

Shenandoah Junction is a rapidly improving little village on the line and established at the opening of the Shenandoah Valley Railroad, midway between Charlestown and Shepherdstown. Fine buildings are constantly going up, and it is gaining in importance with every day.

Rippon is a very pleasant little village, situated about six miles from Charlestown, and three-fourths of a mile from the Shenandoah Valley Railroad, where there is a depot. It contains an Episcopal Church, several stores and shops, and another church, Presbyterian, is located about one mile from the village, on the Bullskin. The Charlestown and Berryville turnpike passes through Rippon, and is the great thoroughfare for that section of country.

Summit Point is five miles southwest of Charlestown, on the Val-

ley branch of the Baltimore & Ohio Railroad, and is a growing village. It is situated in the midst of one of the best agricultural districts of Jefferson and Frederick Counties, and is the shipping point for great quantities of grain and produce. Its neat and business-like appearance indicates the enterprise of its citizens.

Mechanicsville lies about four miles southeast of Charlestown, has a couple of stores, two churches, shops, etc., and several neat dwellings. *Myerstown* and *Uvilla* are small villages, containing each stores, shops, etc. The first is located about a mile from Kabletown, near the river, and the other between Shepherdstown and Duffield's depot.

CHAPTER XX. *

JAMES RUMSEY, INVENTOR OF THE STEAMBOAT.

SOMETHING ABOUT STEAMBOATS IN GENERAL—DREAMS AND CRUDE ATTEMPTS—BLASCO DE GARAY—WORCESTER, PAPIN, HULLS, ETC.—BIRTH OF RUMSEY—EARLY EFFORTS—AS A SOLDIER—PETITION OF 1783—PIPE BOILER—OTHER MACHINES—RUMSEY'S STRUGGLES—PROOFS OF PRIORITY—THE BOAT OF 1783—IN BATH—PETITION TO VIRGINIA—TESTIMONY OF GEN. WASHINGTON—HIS ADVICE—JOHN FITCH—HIS ADMISSION—THE SECRET TRIAL—THE STEAMER AT SHENANDOAH FALLS—ITS MISHAPS—REMOVAL TO SHEPHERDSTOWN—WASHINGTON'S LETTER—SECOND TRIAL—EYE WITNESSES—THE PUBLIC TRIAL TRIP—GRAPHIC DESCRIPTION FROM FIRST HANDS—THE SPECTATORS AND PASSENGERS—SUCCESSFUL SAIL—SOME WELL-KNOWN OBSERVERS—SECOND PUBLIC TRIAL—INCONTESTIBLE PROOF—THE RUMSEIAN SOCIETY—DESCRIPTION OF BOAT—RUMSEY GOES TO ENGLAND—HIS SUCCESS AND HIS SAD DEATH—ROBBED OF HIS HONORS—FULTON'S PRETENSIONS—CONGRESSIONAL MEDAL TO THE INVENTOR

IN view of the vast and varied advantages that have been derived from the invention of the steamboat, to say nothing of the benefits and blessings, it is destined hereafter to disseminate, it becomes a matter of much importance to inquire into the circumstances of its origin, and to ascertain the name of its author; not for the gratification of a mere antiquarian curiosity, but in the vindication of truth and justice, to establish, if possible, on a secure basis, an interesting historical fact concerning which the prejudices of national pride and

* The editor of this work is indebted to Hon. Alexander R. Boteler, of Shepherdstown, W. Va., for the main facts contained in this chapter.

